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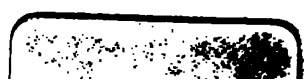
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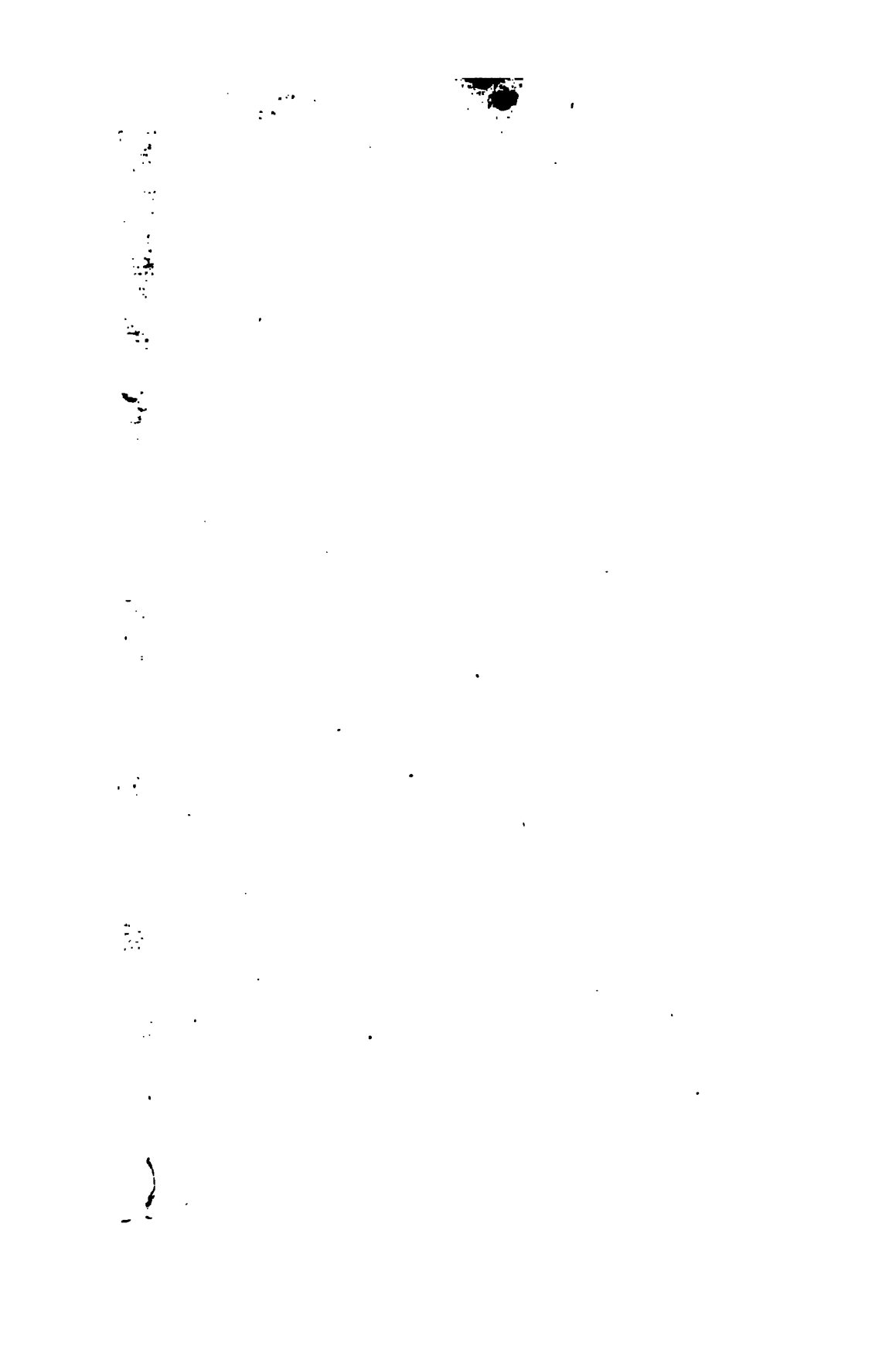
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THE
Statutes at Large,

FROM THE
23^d to the 26th Year of King GEORGE II.

BY
DANBY PICKERING, of GRAY'S INN, Esq;

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THE
Statutes at Large,

FROM THE

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23^d to the 26th Year of King GEORGE II.

To which is prefixed,

A TABLE containing the TITLES of all the STATUTES
during that Period.

VOL. XX.

By DANBY PICKERING, of Gray's-Inn, Esq;
Reader of the Law Lecture to that Honourable Society.

CAMBRIDGE,

Printed by JOSEPH BENTHAM, Printer to the UNIVERSITY;
for CHARLES BATHURST, at the Cross-Keys, opposite St. Dunstan's
Church in Fleet-Street, London. 1765.

CUM PRIVILEGIO.



TABLE of the STATUTES,

Containing the Titles of all such Acts as are extant in print, from the Twenty Third to the Twenty Fifth Year of King GEORGE II. inclusive.

Anno 23 Georgii II.

Cap. 1. **F**OR reducing the several annuities, which now carry an interest after the rate of four pounds *per centum per annum*, to the several rates of interest therein mentioned.

Cap. 2. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and fifty.

Cap. 3. For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty.

Cap. 4. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 5. For enlarging the term and powers granted by an act passed in the fifth year of the reign of his present Majesty, for repairing and amending the roads leading from the town of *Manchester* in the county of *Lancaster*, through the town of *Astton under Line*, and parish of *Mottram Longdendale*, and from thence to *Salter's Brook* in the county palatine of *Chester*.

Cap. 6. For repairing, improving and maintaining the haven and piers of *Great Yarmouth*; and for depthning, and making more navigable the several rivers emptying themselves into the said haven; and also for preserving ships, wintering therein, from accidents by fire.
Vol. XX.

Cap. 7. For enlarging the term and powers granted and continued by two former acts of parliament, for repairing, widening and amending the roads from *Wigan* to *Preston* in the county palatine of *Lancaster*; and for making the said acts more effectual.

Cap. 8. For enlarging the term and powers granted and continued by two acts of parliament, for amending the highways leading from *Brampton Bridge*, to *Welford Bridge* in the county of *Northampton*, and the great post road from *Morter Pitt Hill* to *Chain Bridge*, leading into *Market Harborough* in the county of *Leicester*; and for explaining and making more effectual the said acts; and also for repairing the roads leading from *Morter Pitt Hill* and *Brampton Bridge* to the town of *Northampton*.

Cap. 9. For repealing the duties now payable upon *China* raw silk, and for granting other duties in lieu thereof.

Cap. 10. For enlarging the term and powers granted by an act passed in the fourth year of the reign of his present Majesty, *For repairing the road leading from the town of Fulham in the county of Middlesex, through Fulham fields, to the great road near the pound at Hammer Smith, in the said county.*

Cap. 11. To render prosecutions for perjury, and subornation of perjury, more easy and effectual.

Cap. 12. For improving the navigation
a tion

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tion of the river *Loyne*, otherwise called *Lune*; and for building a quay or wharf, near the town of *Lancaster*, in the county palatine of *Lancaster*.

Cap. 13. For the effectual punishing of persons convicted of seducing artificers in the manufactures of *Great Britain* or *Ireland*, out of the dominions of the crown of *Great Britain*; and to prevent the exportation of utensils made use of in the woollen and silk manufactures from *Great Britain* or *Ireland*, into foreign parts; and for the more easy and speedy determination of appeals, allowed in certain cases, by an act made in the last session of parliament, relating to persons employed in the several manufactures therein mentioned.

Cap. 14. For assigning a place proper for holding the market in the city of *Westminster*, in lieu of the ancient market place called the *Round Woolstaple*; and for regulating the said market.

Cap. 15. For taking down several buildings, and enlarging the streets and market places in the city of *Gloucester*.

Cap. 16. For granting to his Majesty the sum of one million to be raised by annuities at three pounds *per centum per annum*, and charged on the sinking fund, transferrable at the bank of *England*.

Cap. 17. For repairing the roads leading from *Dunglas Bridge* to the town of *Haddington*; and from thence to *Ravensthaughburn* in the county of *Haddington*.

Cap. 18. For enlightning the open places, streets, lanes, passages and courts; and for the better regulating the nightly watch, within the parish of *Saint John Southwark* in the county of *Surrey*.

Cap. 19. For making more effectual several acts of parliament passed for cleaning and making navigable

the channel from the *Hythe* at *Chester* to *Wivenhoe* in the county of *Essex*; and for repairing and cleaning the streets and lanes of town of *Colchester*.

Cap. 20. For encouraging the growth and culture of raw silk in his Majesty's colonies or plantation *America*.

Cap. 21. For granting to his Majesty the sum of nine hundred thousand pounds out of the sinking fund, for the service of the one thousand seven hundred fifty; and for applying certain plus monies remaining in the chequer, as part of the supply for the said year; and for the application of certain savings in the hands of the paymaster general; and obviating a doubt in an act of the fifth year of King *George* the first in respect to the payment of certain annuities thereby granted for the improvement of fisheries manufactures in *Scotland*; and the further appropriating the annuities granted this session of parliament; and for giving further provision for the payment of duties on contracts of clerks and apprentices, and for transferring the bounty now payable upon the export of *British* sail cloth, to the customs, and for enforcing the laws against the clandestine importation of candles, and starch, into this kingdom.

Cap. 22. For giving further provision to the proprietors of annuities, the rate of four pounds *per annum*, to subscribe the same in the manner and upon the terms therein mentioned; and for deeming such of the said annuities as shall not be so subscribed, for empowering the *East India* Company to raise certain sums by transferring annuities.

Cap. 23. To continue several

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for preventing the spreading of the *lister* which now rages amongst he horned cattle, and for impow-
ing his Majesty to prohibit the
illing of cow calves.

24. For the encouragement of
the *British* white herring fishery.

25. For making good a deficien-
upon the revenue of the office of
eper or clerk of the hanaper, and
preventing any future deficien-
therein, to answer the publick
vices provided for out of the
ne; and for augmenting the in-
me of the office of master or
eper of the rolls.

26. To continue several laws
the better regulating of pilots,
the conducting of ships and
fels from *Dover*, *Deal*, and *Isle*
Thanet, up the rivers of *Thames*
and *Medway*; and for permitting
of spirits of the *British* sugar
to be landed before the
of excise are paid thereon;
to continue and amend an act
preventing frauds in the ad-
measurement of coals within the
yard and liberty of *Westminster*, and
several parishes near thereunto;
to continue several laws for
preventing exactions of occupiers
docks and weirs upon the river
and westward, and for ascertain-
the rates of water carriage up-
the said river; and for the bet-
regulation and government of
men in the merchants service;
also to amend so much of an
made in the first year of the
of King *George* the First, as
acts to the better preservation of
men in the river *Ribble*; and to
ulate fees in trials at assizes, and
for *Præsumptio*, upon records issuing
of the office of pleas of the
of *exchequer*; and for the
prebending of persons in any
any or place, upon warrants
inted by justices of the peace in
any other county or place; and to

repeal so much of an act made in
the twelfth year of the reign of
King *Charles* the Second, as relates
to the time during which the office
of excise is to be kept open each
day, and to appoint for how long
time the same shall be kept open
upon each day for the future; and
to prevent the stealing or destroy-
ing of turnips; and to amend an
act made in the second year of his
present Majesty, for better regula-
tion of attorneys and solicitors.

Cap. 27. For the more easy and spee-
dy recovery of small debts within
the city and liberty of *Westminster*,
and that part of the duchy of *Lancaster*
which adjoineth thereto.

Cap. 28. To explain part of an act
passed in the thirteenth and four-
teenth years of the reign of King
Charles the Second, for the unifor-
mity of publick prayers, and ad-
ministration of sacraments; and al-
so part of an act passed in the thir-
teenth year of the reign of Queen
Elizabeth for the ministers of the
church to be of sound religion.

Cap. 29. To encourage the importa-
tion of pig and bar iron from his
Majesty's colonies in *America*; and
to prevent the erection of any mill
or other engine for slitting or roll-
ing of iron, or any plateing forge
to work with a tilt hammer, or
any furnace for making steel, in any
of the said colonies.

Cap. 30. For the more easy and
speedy recovery of small debts with-
in the *Tower Hamlets*.

Cap. 31. For extending and improv-
ing the trade to *Africa*.

Cap. 32. For granting to his Majesty
certain duties upon such species of
sail cloth as are therein mentioned,
which shall be imported from *Ire-*
land into *Great Britain*, during the
time therein limited.

Cap. 33. For preventing delays and
expences in the proceedings in the
county court of *Middlesex*; and
a 2 for

A TABLE of the STATUTES.

for the more easy and speedy recovery of small debts in the said county court.

Cap. 34. For permitting raw silk of the growth or produce of *Persia*, purchased in *Russia*, to be imported into this kingdom, from any port or place belonging to the empire of *Russia*.

Cap. 35. For making a better and more effectual provision for the relief of the poor, for the cleaning the streets, and for keeping a nightly watch, within the parish of Saint *Martin in the Fields*, within the liberties of the city of *Westminster*.

Cap. 36. For settling a stipend or maintenance upon the rector of the parish of *Saint George the Martyr*, in the borough of *Southwark*, in the county of *Surrey*, and his successors, in lieu of tythes.

Cap. 37. For building a bridge cross the river of *Thames*, from *Hampton Court* in the county of *Middlesex*, to *East Moulsey* in the county of *Surrey*.

Cap. 38. For repairing the road from the city of *York* over *Skipbridge*, to *Boroughbridge* in the county of *York*.

Cap. 39. For the more effectual repairing and preserving the piers and harbour of *Whitby* in the county of *York*.

Cap. 40. For repairing and widening the roads leading from *Egremont* to *Dudden Bridge*, *Santon Bridge*, and *Saltbouse*, in the county of *Cumberland*.

Private Acts.

Anno 23 Georgii II.

1. An act for naturalizing *Thomas Abraham Ogier*, *Peter Henry Gauthain*, and others.
2. An act for naturalizing *Charles Lindegren*.
3. An act for naturalizing *Henry Joly*.
4. An act for naturalizing *Germain Lavie*.

5. An act for vesting in trustees certain leases and estates therein mentioned, of and in the mar *Spalding* and *Holbeck*, and other lands, tenements and herements to the same belonging the county of *Lincoln*, which forfeited by *James* late duke of *Mouth*, put in exigent upon indictment of high treason, intent that the loss of the result such indictment, and of the and exigent thereon, may be applied for the purposes therein mentioned.

6. An act to empower the commissioners of *Thomas* earl of *Bradford*, to lay out part of his personal estate in the purchase of land estates of inheritance for the purposes therein mentioned.

7. An act to enable his Majesty grant the inheritance of the of *Garstang* in the county of *Caster*, and of a messuage or tenement in *Newbigginge* in *Lincoln* in the county of *Westmoreland* trustees, in trust for the honour of *Edward Walpole* esquire, a heirs, upon a full and valuable consideration to be paid for the

8. An act to enable *Roger Madox* doctor in divinity, now called *ger Petteward*, and the heirs body, to take and use the surname and arms of *Petteward*.

9. An act to enable *Beckford* esquire, now called *Beckford Cater*, and his issue male, to take and use the surname and arms of *Cater*.

10. An act for naturalizing *Peter Mandrot*, *Lewis Clapton*, *William de Drusina*, and others.

11. An act for naturalizing *Schomberg*, doctor in physick.

12. An act for naturalizing *Erskine*.

13. An act to empower the commissioners of *Henry* earl of *Perth* and *Montgomery*, an infant, to

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- leases of his real estate during his minority.
14. An act to enable *Hugh* earl of *Northumberland*, and *Elizabeth* countess of *Northumberland* and baroness *Percy*, his wife, and their children, progeny, and issue, to take and use the name of *Percy*, and bear and quarter the arms of the *Percies* earls of *Northumberland*.
 15. An act for sale of part of the settled estate of *Sir Thomas Mosely* baronet, in the county of *Anglesey*, for payment of debts, and for providing a recompence to his eldest son and issue in lieu thereof.
 16. An act for establishing a partition made between dame *Mary Latre*, and others, of divers estates in the parishes of *West Thorock* and *Stifford*, in the county of *Essex*, in pursuance of several orders of the high court of *Chancery*.
 17. An act for empowering trustees to cut down and sell timber upon the estate late of *John Trevor* esquire, in the counties of *Denbigh* and *Flint*, for discharging his debts, and also to make leases of mines in the said counties.
 18. An act for investing part of the personal estate of *Charles Churchill* esquire, deceased, in the purchase of lands to be settled, pursuant to an agreement in the settlement made on the marriage of *Charles Churchill* junior esquire, with the lady *Maria Walpole*.
 19. An act for sale of the manor of *Musley*, and other estates in the county of *Bucks*, lately belonging to *Hugh Barker* the younger esquire, deceased, pursuant to an agreement made with him for that purpose.
 20. An act for making effectual an agreement for sale of a messuage at *Parley Hill* in the county of *Berks*, with the appurtenances, late the estate of colonel *Charles Lause*, deceased, to *Alexander Walker* esquire.
 21. An act for sale of the estates devised by the will of *John Hilton* esquire, deceased, and for applying the money arising thereby in the payment of his debts and legacies.
 22. An act for explaining and amending several powers contained in the settlements made in the marriage of *Henry Walters* gentleman, and *Anne* his wife, for rendering the same more effectual for the purposes thereby intended.
 23. An act to empower the executors and trustees of *Samuel Shephard* esquire, deceased, to sell his houses at *Exning* in *Suffolk*, and in *Coven-dish Square*, and the plate and furniture thereto belonging, and to apply the money produced by such sale, as the court of *Chancery* shall direct or appoint.
 24. An act for sale of part of the estates of *John Needham* esquire, and *Anne* his wife; *John Leche* esquire, and *Mary* his wife; and *Elizabeth Hurleston*, for discharging incumbrances affecting the same, and other purposes therein mentioned.
 25. An act to enable *William Cowper* esquire, to settle a jointure upon his present wife, and to make leases of certain estates in the county of *Hertsford*.
 26. An act for empowering trustees to raise money out of the settled estate of *Robert Dolman* esquire, for discharging several debts and sums of money contracted and borrowed by him.
 27. An act for vesting the estates of *Richard Stanley* esquire, a lunatick, lying in the counties of *Kent* and *Middlesex*, in trustees, to be sold for the payment of several debts and incumbrances thereon, and for other purposes therein mentioned.
 28. An act to sell part of the settled estate of *Thomas Sergison* esquire, and to lay out the money arising thereby, in the purchase of lands and hereditaments to be settled in lieu thereof.

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29. An act to enable *William Nisbet* of *Dirleton* esquire, and the heirs of intail for the time being, to make leases of lands in the county of *Haddington*, and for other purposes therein mentioned.
30. An act for raising money by sale or mortgage of the estate of *Garton Orme* esquire, in the county of *Suffex*, for the payment of his debts, and the portion of *Charlotte Orme* his daughter, and for other purposes therein mentioned.
31. An act for inclosing and dividing certain common fields and common grounds, called *Nether Heyford Common Fields*, lying and being in the parishes of *Nether Heyford*, *Stow with nine Churches*, and *Bugbrooke*, in the county of *Northampton*, and for extinguishing all right of common in certain meadows, pastures, and inclosed grounds in the said parishes, and providing a recompence to the rectors of the said parishes, in lieu of tythes.
32. An act for confirming articles of agreement for inclosing and dividing the commons and waste grounds within the manor of *Culbeth* in the county of *Lancaster*.
33. An act for securing the sole property, benefit and advantage of an engine invented by *Israel Pownoll*, deceased, for raising ballast, fullage, and sand, and for removing banks, shelves and shoals, in rivers and harbours, to the children of the said *Israel Pownoll*, for a certain term of years.
34. An act for naturalizing *Jacob Van Wylick*.

Anno 24 Georgii II.

- Cap. 1. For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty one.
- Cap. 2. For granting to his Majesty

the sum of two millions of hundred thousand pounds, to be paid by annuities, and a lotto charged on the sinking fund, to be deemed by parliament.

Cap. 3. For enlarging the powers granted by an act in the twelfth year of the his present Majesty, for the road between *Stam*, *Grantham* in the county of and for making the same factual.

Cap. 4. For enabling his Majesty to raise the several sums of therein mentioned, by bills, to be charged on the fund; and for empowering commissioners of the treasury to pay off the old and new unexpired *South Seas* annuities or supply granted to his Majesty the service of the year one thousand seven hundred and fifty one for enabling the bank of *England* to hold general courts, and to direct, in the manner directed; and for giving persons liberty to subscribe *South Seas* annuities omitted subscribed pursuant to the last session of parliament.

Cap. 5. To indemnify persons who have omitted to qualify themselves for offices and employment in the time limited by law, allowing further time for that purpose.

Cap. 6. For punishing mutiny and desertion; and for the better government of the army and the militia.

Cap. 7. For granting an aid to his Majesty by a land tax, to be levied in *Great Britain*, for the service of the year one thousand seven hundred and fifty one.

Cap. 8. For the better carrying and regulating, the navigation of the river *Thames* and *Isis*, from the city of *London* westward

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- town of *Cricklade* in the county of *Wils.*
- Cap. 9. For repairing the road leading from *West-Lavington* to the *Devizes*, and from the *Devizes* to *Seend*, in the county of *Wils.*
- Cap. 10. For enlarging the term and powers granted by two acts of parliament, for repairing the highways through the several parishes of *Saint Michael*, *Saint Alban*, *Saint Peter*, *Shenley-Ridge*, and *South-Mims*, in the counties of *Hertford* and *Middlesex.*
- Cap. 11. For reducing the interest upon the capital stock of the *South Sea* company, from the time, and upon the terms, therein mentioned; and for preventing of frauds committed by the officers and servants of the said company.
- Cap. 12. For appointing commissioners to put in execution an act made in the twenty second year of the reign of *King Charles the Second*, for making navigable the rivers commonly called *Brandon* and *Waveney*; so far as the same relates to the navigation of the river commonly called the *Lesser Ouzze*, from *Thetford* to *Brandon*, and from *Brandon* to a place called the *White House*, near *Brandon Ferry*, in the counties of *Norfolk* and *Suffolk.*
- Cap. 13. For repairing the road from *Crosford Bridge*, through the townships of *Stretford* and *Hulme*, to the town of *Manchester*; in the county palatine of *Lancaster.*
- Cap. 14. For explaining and amending an act passed in the twenty first year of the reign of his present Majesty, intituled, *An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers of the city of London, and for other purposes therein mentioned.*
- Cap. 15. To enable the parishioners of the parish of *Saint Mary, Islington*, in the county of *Middlesex*, to rebuild the church of the said parish.
- Cap. 16. For the more speedy and easy recovery of small debts within the city of *Lincoln*, and county of the same city, and the liberties and precincts thereof; and within the bail of *Lincoln* in the county of *Lincoln.*
- Cap. 17. For repairing the road leading from the east end of *Brampton High Lane* in the county of *York*, to the town of *Richmond*, and from thence to and through the towns of *Afkrigg* and *Ingleton* in the said county, to the town of *Lancaster* in the county of *Lancaster.*
- Cap. 18. For the better regulation of trials by jury; and for enlarging the time for trials by *Nisi Prius* in the county of *Middlesex.*
- Cap. 19. For making the river *Nar* navigable, from the town and port of *King's Lynn*, to *Westacre*; in the county of *Norfolk.*
- Cap. 20. For repairing and widening the road from *Preston* to *Lancaster*, and from thence to a place called *Heiring Syke*, that divides the counties of *Lancaster* and *Westmoreland.*
- Cap. 21. For enlarging the term and powers granted by an act passed in the third year of the reign of his present Majesty, for repairing and amending the several roads leading from *Woodstock* through *Kiddington* and *Enstone* to *Rollright Lane*, and from *Enslow Bridge* to *Kiddington* afore said, in the county of *Oxford*; and for making the said act more effectual.
- Cap. 22. For explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty for the repairing and enlarging the roads from the town of *Selby*, in the west riding of the county of *York*, to the town of *Leeds*; and from thence in two several branches, one through *Bradford* and *Horton*, and the other through

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through *Bowling* and *Wibsey*, to the town of *Halifax* in the same riding, as relates to that part of the said roads which lies between *Selby* and *Leeds*; and also for repairing the road from *Tadcaster* in the said west riding, over *Bramham Moor* thro' *Kidball Lane*, over *Win Mosr*, and through *Seacroft*, to a place called *Halton Dyal*, where it comes into the abovesaid road, between *Selby* and *Leeds*.

Cap. 23. For regulating the commencement of the year; and for correcting the calendar now in use.

Cap. 24. To provide for the administration of the government, in case the crown should descend to any of the children of his late royal highness *Frederick* prince of *Wales*, being under the age of eighteen years; and for the care and guardianship, of their persons.

Cap. 25. For laying out, making, and keeping in repair, a road proper for the passage of troops and carriages from the city of *Carlisle*, to the town of *Newcastle upon Tyne*.

Cap. 26. For cleansing and enlightening the open places, streets, and other passages, and regulating the nightly watch and bedels, in the parish of *Saint Matthew, Bethnal Green*, in the county of *Middlesex*.

Cap. 27. To enable the present and future proprietors and inhabitants of the houses in *Golden Square*, in the parish of *Saint James, Westminster*, in the county of *Middlesex*, to make and levy a rate on themselves, for raising money sufficient for the better inclosing, paving, enlightening, and adorning of the said square; and supporting and keeping of the same in repair for the future.

Cap. 28. For repairing the road from the top of *Crickley Hill* in the county of *Gloucester*, to *Frogg-Mill*, through the towns of *Northleach*, *Burford*, and *Witney*, and parishes

of *Hanborough* and *Bladen*, to *Cafield*, in the parish of *Kidlington* the county of *Oxford*; and also road from *Witney*, through *EnCumnor* and *Botley*, to the city of *Oxford*.

Cap. 29. For repairing the road ing from the town of *Ludlow* in county of *Salop*, through *Wesh* and *Little Hereford*, to a place called *Monk's Bridge*, in the said county; and also from the said town of *Ludlow*, to a place or house called the *Maidenhead* at *Orleton* in county of *Hereford*.

Cap. 30. For repairing the high leading from *Darlington* in the county of *Durham*, to *West Auckland*; several other roads in the said county therein mentioned.

Cap. 31. For explaining, amending and enforcing, an act passed in the thirteenth year of his late Majesty, intituled, *An act for the better regulation of the linen and woollen manufactures in that part of Britain called Scotland*; and further regulating and encouraging the said manufactures.

Cap. 32. For enlarging the powers granted by two acts of parliament for repairing the road from *Wendover*, to the town of *Buckham* in the county of *Bucks*; also for repairing and widening a road leading from the west end of the said town of *Wendover*, to the end of a lane called *Oak Lane*; the great road called *The Road*, lying between the towns of *Beaconsfield*, in the said county of *Bucks*, and *Uxbridge* in the county of *Middlesex*, and that part of the said great road which lies from the west end of the said town of *Beaconsfield*, to the river *Coln* at *Uxbridge* aforesaid.

Cap. 33. For enlarging the powers granted by an act passed in the fourth year of his present Majesty's reign, for repairing the

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leading from the most southern part of *Butt Lane*, in the parish of *Lawton*, in the county palatine of *Chester*, to *Lawton*; and from thence to *Henshall's Smithy*, upon *Cranage Green* in the said county; and for making the said act more effectual.

Cap. 34. For the better preservation of the game in that part of *Great Britain* called *Scotland*.

Cap. 35. For repairing the high roads in the county of *Edinburgh*, to and from the city of *Edinburgh*; and from *Crammond Bridge* to the town of *Queen's Ferry* in the county of *Linlithgow*.

Cap. 36. For building a bridge over the river *Ribble*, between the townships of *Preston* and *Penwortham*, near a place called the *Fish-house*, in the county palatine of *Lancaster*.

Cap. 37. For dividing the parish of *Saint Philip and Jacob* in the county of *Gloucester*, and in the city and county of *Bristol*; and for erecting a church in the new intended parish.

Cap. 38. For levying a duty of two pennies *Scots*, or a sixth part of a penny sterling, on every *Scots* pint of ale and beer which shall be brewed for sale, brought into, tapped or sold, within the town of *Greenock*, and baronies of *Easter* and *Wester Greenock*, and *Finnart*, and liberties thereof, in the county of *Renfrew*, for repairing the harbour of the said town, and for other purposes therein mentioned.

Cap. 39. For the better regulating the navigation of the river *Avon*, running through the counties of *Warwick*, *Worcester* and *Gloucester*; and for ascertaining the rates of water-carriage upon the said river.

Cap. 40. For granting to his Majesty an additional duty upon spirituous liquors, and upon licences for retailing the same; and for repealing the act of the twentieth year of his present Majesty's reign, intituled,

An act for granting a duty to his Majesty to be paid by distillers upon licences to be taken out by them for retailing spirituous liquors; and for the more effectually restraining the retailing of distilled spirituous liquors; and for allowing a drawback upon the exportation of *British* made spirits; and that the parish of *Saint Mary le Bon*, in the county of *Middlesex*, shall be under the inspection of the head office of excise.

Cap. 41. For the more effectual securing the duties upon tobacco.

Cap. 42. To explain and amend an act passed in the last session of parliament, intituled, *An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the duchy of Lancaster, which adjoineth thereto*; and for making the said act more effectual.

Cap. 43. For the more effectual preservation of the turnpike roads in that part of *Great Britain* called *England*; and for the disposition of penalties given by acts of parliament relating to the highways in that part of *Great Britain* called *England*, and for enforcing the recovery thereof; and for the more effectual preventing the mischiefs occasioned by the drivers riding upon carts, drays, carriages and waggons, in the city of *London*, and within ten miles thereof.

Cap. 44. For the rendering justices of the peace more safe in the execution of their office; and for indemnifying constables, and others, acting in obedience to their warrants.

Cap. 45. For the more effectual preventing of robberies and thefts upon any navigable rivers, ports of entry or discharge, wharfs and keys adjacent.

Cap. 46. For repealing the duties now payable upon foreign linen

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linen yarns, and for granting other duties in lieu thereof.

Cap. 47. For granting to his Majesty the sum of six hundred thousand pounds out of the sinking fund, for the service of the year one thousand seven hundred and fifty one; and for allowances to the poor widows of commission and warrant officers of the royal navy; and for the further appropriating the supplies granted this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan, or annuity orders, payable at the exchequer in lieu of such as shall be lost, burnt or destroyed; and also for making forth new orders of loan or annuity orders, in lieu of such as shall become defaced, obliterated, or otherwise incumbered with assignments or endorsements thereon.

Cap. 48. For the abbreviation of *Michaelmas* term.

Cap. 49. For allowing further time to the commissioners appointed by and in pursuance of an act of the twenty third year of his present Majesty's reign, intituled, *An act for extending and improving the trade to Africa*, to inquire into the claims of certain creditors of the royal *African* company therein mentioned, and for the relief of *David Crichton*; and for restraining the said company from disposing of such of their effects as are therein mentioned; and for staying all suits for money due from or on the account of the said company, for the time therein mentioned.

Cap. 50. To enable his Majesty to make leases and copies of offices, lands and hereditaments, parcel of his dutchy of *Cornwall*, or annexed to the same.

Cap. 51. For encouraging the making of pot ashes and pearl ashes in the *British* plantations in *America*.

Cap. 52. For continuing several laws

therein mentioned, relating *premiums* upon the importation of masts, yards and bowsprits, pitch and turpentine; to made sail cloth, and the dutieable on foreign sail cloth; and allowance upon the exportation of *British* made gunpowder.

Cap. 53. To regulate and paper bills of credit in his Majesty's colonies or plantations of *Island* and *Providence* plantations; *Connecticut*, the *Massachusetts* and *New Hampshire* in *And* to prevent the same being tendered in payments of money.

Cap. 54. For explaining, continuing and enforcing several laws therein mentioned, more effectually to prevent the spreading of the distemper which now rages amongst the cattle in this kingdom.

Cap. 55. For amending and making more effectual a clause in an act passed in the last session of parliament, for the apprehending of felons in any county or place, warrants granted by justices of peace of any other county or place.

Cap. 56. For ascertaining the assessment of wheat meal, or corn or grain ground, for which bounty is payable upon exportation; and for making allowance to the *East India* company, for charges and expences in receiving, paying, and transferring reduced annuities.

Cap. 57. To continue several laws therein mentioned; for preventing theft and rapine on the north borders of *England*; for the more effectually punishing wicked and evil-disposed persons going in disguise, and doing injuries and violences to the persons and properties of his Majesty's subjects; and for the more speedy bringing the offenders to justice; continuing two clauses to prevent cutting or breaking down the

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of any river or sea bank; and to prevent the malicious cutting of hop-binds; for the more effectual punishment of persons maliciously setting on fire any mine, pit, or delph of coal, or cannel coal; and of persons unlawfully hunting or taking any red or fallow deer in forests or chaces, or beating or wounding the keepers or other officers in forests, chaces or parks; for granting a liberty to carry sugars of the growth, produce, or manufacture of any of his Majesty's sugar colonies in *America*, from the said colonies, directly into foreign parts, in ships built in *Great Britain*, and navigated according to law; for preventing the committing of frauds by bankrupts; for giving further encouragement for the importation of naval stores from the *British* colonies in *America*; and for preventing frauds and abuses in the admeasurement of coals in the city and liberty of *Westminster*; and to make some further provisions in relation to the signing of certificates for the discharge of bankrupts.

Cap. 58. For making, widening, and keeping in repair, several roads in the several parishes of *Lambeth*, *Newington*, *Saint George's Southwark* and *Bermondsey* in the county of *Surrey*; and *Lewisbam* in the county of *Kent*.

Cap. 59. For enlarging of the terms and powers, and making more effectual several acts of parliament for repairing and amending the highways leading from *Royston* in the county of *Hertford*, to *Wansford Bridge* in the county of *Huntingdon*, so far as relates to the amending of that part of the road as lies between a place called the *White Post* on *Alconbury Hill* in the county of *Huntingdon*, and *Wansford Bridge* in the same county, called the *North Division*; and that the tolls taken

at *Salvree* and *Wansford* toll-gates may, from and after a certain time, be lowered; and for repairing the road leading from *Stilton* in the said county of *Huntingdon*, to *Peterborough* in the county of *Northampton*.

Private Acts.

Anno 24 Georgii II.

1. An act to dissolve the marriage of *Godfrey Copley* esquire, with *Anna Maria Brace*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.
2. An act to enable *Samuel Smith* esquire to take and use the surname of *Holworthy* only, and bear the coat armour of *Matthew Holworthy* esquire, deceased, pursuant to the will of *Elizabeth* his widow, also deceased.
3. An act to enable *John Heath* esquire, and his heirs male, to take and use the surname and arms of *Duke*, according to the direction of the last will and testament of *Richard Duke* esquire, deceased.
4. An act for naturalizing *John Liatard*, *Daniel Richard*, *Daniel Ferrand*, *Charles Brucher* and *John Schnely*.
5. An act for naturalizing *Christopher Jacob Krauter*.
6. An act for empowering the trustees, named in the settlement made upon the marriage of *Edward Hulfe* esquire, with *Hannah* his wife, to lay out part of the trust-mones therein mentioned, in the purchase of reversionary estates, as well as lands in possession, to be settled to the uses of the said marriage settlement, with power to make leases thereof, according to the custom of the country.
7. An act to enable *George Lane*, heretofore called *George Fox* esquire, and his issue male, to take and use the surname and arms of *Lane*, pursuant to the will of *James* lord viscount

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- viscount *Lanesborough*, in the kingdom of *Ireland*, deceased, and for inrolling the said will, and making the exemplification thereof evidence in all courts in *Great Britain* and *Ireland*.
8. An act to enable *Thomas Smith*, now called *Thomas Panuwell*, and the heirs of his body, to take and use the surname and arms of *Panuwell*.
9. An act to enable the most noble *Jane* duchess dowager of *Argyll* and *Greenwich* to grant leases of the ground, and repairing leases of the houses and buildings in the county of *Middlesex*, mentioned in the will of *John* late duke of *Argyll* and *Greenwich* deceased.
10. An act for charging divers houses, tenements and hereditaments, in the city of *London* and county of *Hertford*, part of the settled estate of *William* earl *Cowper*, with raising money towards defraying the expenses of rebuilding the said houses in *London*, burnt down and destroyed by fire.
11. An act for vesting divers lands, tenements and hereditaments in the county of *Corke* in the kingdom of *Ireland*, comprized in the marriage-settlement of *John* earl of *Egmont*, in him and his heirs, discharged of the uses of that settlement, and for settling other lands and hereditaments in the said county, of greater value, in lieu thereof, to the same uses.
12. An act for the sale of a capital messuage at *Bromley*, and divers messuages, lands and hereditaments in the counties of *Middlesex* and *Essex*, late the estate of *Sir Charles Peers* knight, deceased, some time since one of the aldermen of the city of *London*, and for purchasing another estate to be settled to the uses of his will.
13. An act to enable *John Primrose* esquire, commonly called lord *Dalmenie*, to secure a jointure to *Mary* countess of *Roseberry*, his mother, and make provisions for his brother and sister, out of the entailed estate late of *Sir Archibald Primrose* knight, deceased.
14. An act for vesting the undivided twelfth part of *John Fekyll*, an infant, in the real estate of *Sir Joseph Fekyll* knight, deceased, in trustees, to be sold for the purposes therein mentioned.
15. An act for sale of the estate late of *Edmund Pleydell* esquire, in *Gloucestershire*, and for laying out the money arising by such sale, in the purchase of another estate, to be settled to the uses of his will.
16. An act to enable *Sir William Maxwell*, of *Monreith*, baronet, or other heirs of entail for the time being, to sell lands in the county of *Wigtown*, for payment of debts, and other purposes therein mentioned.
17. An act for the effectual securing of a jointure, by way of rent-charge, for *Barbara Mainwaring Ellerker*, wife of *Eaton Mainwaring Ellerker* esquire, and raising portions for their younger children, pursuant to an agreement contained in their marriage-settlement, and for confirming and establishing the surname of *Ellerker*, and the coat of arms of the *Ellerkers*, of *Risby* in the county of *York*, and the crest granted by King *Henry* the Eighth, to the said *Eaton Mainwaring Ellerker*, and his issue.
18. An act for confirming a partition of the estate late of *George Gardner* esquire, deceased, and for settling and disposing of the lands belonging to *Edward Bulstrode* esquire, upon the said partition, for discharging incumbrances, and for a provision for himself, and his wife and children, pursuant to his marriage-settlement.
19. An act to empower the guardian

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- or guardians of *Thomas Horner* esquire, an infant, for the time being, to make leases and copyhold grants of his estates in the county of *Somerset*, during his minority, according to the usage and custom of the country, and for other purposes therein mentioned.
20. An act for vesting a messuage and lands in *Suffolk*, part of the settled estate of *Thomas Moyle* esquire, in trustees, in trust to sell the same, pursuant to an agreement for that purpose, and for applying the money arising by such sale, towards the purchase of another estate of greater value, to be settled to the like uses.
 21. An act for the better effecting the purposes mentioned in the will of *John Michel*, late of *Richmond* in the county of *Surrey* esquire, deceased, for the benefit and advantage of *Queen's College* in the university of *Oxford*.
 22. An act to confirm and establish an agreement for inclosing and dividing several lands and grounds in the parish of *Welton* in the county of *York*, and for settling a yearly sum on the vicar in lieu of tythes, and other purposes therein mentioned.
 23. An act for confirming articles of agreement for inclosing and dividing certain commons and waste grounds in the parish of *Eutton* in the county of *Somerset*.
 24. An act for inclosing and dividing the common fields, common pastures, common meadows and waste grounds in the manor and parish of *Farthingstone* in the county of *Northampton*.
 25. An act for confirming articles of agreement for inclosing and dividing the common fields, meadows and common fen in the manor and parish of *Durby* in the county of *Lincoln*, and for rendering the same more effectual, and for other purposes therein mentioned.
 26. An act for empowering *Sir Thomas Saunders Sebright* baronet, to inclose *Besford* common in the county of *Worcester*, and for setting out and appointing proper roads over the same; and for charging the said common with a perpetual yearly rent, in lieu of certain rights and privileges claimed by *James Cocks* esquire, as lord paramount of the manor of *Besford*.
 27. An act for confirming articles of agreement for inclosing the common pastures and common grounds within the manor of *Hutton Bagbell* in the county of *York*.
 28. An act for vesting for a certain term of years, in *Michael Menzies* esquire, his executors, administrators and assigns, the sole property of a machine, by him invented, for conveying of coals from the places where they are dug, to the heaps at the mouths of the pits, and in some cases from the heaps to the staiths, or places where they are put on board ships or keels.
 29. An act to enable *William Leybourne*, formerly called *William Leybourne Taylor*, to take and use the surname of *Leybourne* only, and bear the coat of arms of the family of *Leybourne*, pursuant to the will of his uncle *William Leybourne*, deceased.
 30. An act for enabling *James Langston*, formerly called *James Haughton*, and his heirs, to use the surname, and bear the family arms of *Langston*, pursuant to the will of *James Langston* his uncle, deceased.
 31. An act to enable *John Fenwick*, lately called *John Wilson*, and the heirs male of his body, to take the name and bear the arms of *Fenwick* only, pursuant to the wills of *Robert Fenwick* and *Nicholas Fenwick*.
 32. An act for naturalizing count *Stephanus Laurentius Neale*.
 33. An act for establishing and confirming

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- firming articles entered into upon marriage of *Henry Arthur* earl of *Powis*, with *Barbara* countess of *Powis*, his wife, an infant, and for the more effectually carrying the same into execution.
34. An act for enabling the right honourable *John Thynne*, lord *Chedworth*, to settle a jointure on *Martha Parker* spinster, upon their inter-marriage, and for making provision for their younger children, and for explaining the will of Sir *Philip Parker Long* baronet, deceased, and for other purposes therein mentioned.
35. An act for completing the sale of the estate late of *Francis Scott*, commonly called earl of *Dalkeith*, deceased, in the county of *Lincoln*; and for applying the money arising thereby pursuant to an agreement for that purpose; and for empowering the guardians of the heir of the said late earl, for the time being, to make leases of ground and buildings in the county of *Middlesex*, during the minority of such heir.
36. An act for sale of part of the settled estate of *Thomas* lord viscount *Kilmorey*, for raising money to discharge the incumbrances affecting the same, prior to his marriage-settlement, and for laying out the surplus thereof in the purchase of other lands and hereditaments, to be settled to the uses of the said settlement.
37. An act for vesting the undivided moiety of divers lands and hereditaments in the counties of *Leicester*, *Stafford* and *Derby*, devised by the will of *Sarah Frowde* widow, deceased, in *Ralph Blois* clerk, in fee-simple; and for settling an entire estate in the county of *Suffolk*, of greater value, to the uses limited by the same will.
38. An act for vesting part of the settled estate of *George Barlow* esquire, in him and his heirs, and for settling another part of his of greater value, to the same use except as therein is excepted, thereof.
39. An act for sale of the estate of *William Newland* esquire, deceased, in *Gatton*, *Rygate* and *Slam* in the county of *Surrey* discharging incumbrances.
40. An act for sale of certain in the county of *Stafford*, of *Cypher Wood*, esquire, for discharging incumbrances affecting the same and for settling other lands thereof.
41. An act for making and granting leases of lands, tenements and in the county of *Cornwall*, prized in the marriage settlement and will of *Kellond Courtney* deceased, during the minority of his issue claiming under the settlement and will.
42. An act for selling part of the settled estate of *George Courtes* esquire, for discharging incumbrances affecting the same, and enabling him to make a provision for his wife and children, pursuant to his marriage articles.
43. An act to enable the honourable *John Fitz Maurice*, and his heirs to take and use the surname of *Petty*, pursuant to the will of the right honourable *Henry* earl of *Shelburne* in the kingdom of *Ireland* deceased.
44. An act for enabling *Richard Stubblefield* gentleman, and his heirs to take and use the surname of *King*.
45. An act for naturalizing *Jacob* baron *de Soefdyk Van* lord of *Rhynwick*.
46. An act for naturalizing *John* la, *Stephan Cogigian*, *John Zornlin*, and *John Adolph Spe*

Anno 25 Georgii II.

Cap. 1. For continuing and granting to his Majesty certain duties

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malt, munn, cyder and perry for the service of the year one thousand seven hundred and fifty two.

Cap. 2. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 3. For granting an aid to his Majesty by a land-tax to be raised in *Great Britain* within the space of one year, from the twenty fifth day of *March* one thousand seven and fifty two.

Cap. 4. For appointing the deputy or secondary of the chief clerk to in-roll pleas in the *King's Bench*, called *The Master of the King's Bench office*, one of the registers or masters for the inrollment of deeds, wills, and other conveyances in the county of *Middlesex*, in the place and stead of such chief clerk.

Cap. 5. To continue and make more effectual an act passed in the second year of the reign of his present Majesty, for repairing the highways between *Sheppard's Sherd* and *Horsley Upright Gate* leading down *Baden Hill* in the county of *Wills*, and other ruinous parts of the highways therunto adjacent.

Cap. 6. For avoiding and putting an end to certain doubts and questions, relating to the attestation of wills and codicils, concerning real estates, in that part of *Great Britain* called *England*, and in his Majesty's colonies and plantations in *America*.

Cap. 7. To rectify a mistake in an act passed in the twenty fourth year of the reign of his present Majesty, intituled, *An act for explaining and amending an act passed in the twenty first year of his present Majesty*, intituled, *An act for the relief of the apprentices of the wardens and commonalty of the mystery of Mercers in the city of London*; and for other purposes therein mentioned.

Cap. 8. For repairing the road leading from the *Royal Oak* on *Wroth-*

am Heath, to the town of *Wrotham* in the county of *Kent*; and from thence to the village of *Foot's Gray* in the said county.

Cap. 9. For enlarging the terms granted by two several acts of the third and ninth years of his late Majesty's reign, for continuing the duty of two pennies *Scots* upon every pint of ale and beer sold in the city of *Edinburgh*, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there.

Cap. 10. For the more effectual securing mines of black lead from theft and robbery.

Cap. 11. To enable the parishioners of the parish of *East Greenwich* in the county of *Kent*, to deposit corpses in the vaults or arches under the church in the said parish, and to ascertain the fees that shall be paid for the same.

Cap. 12. For repairing and widening the road from the town of *Warminster* in the county of *Wills*, to the city of *Bath* in the county of *Somerset*; and also the road from the town of *Frome* in the said county of *Somerset*, to the town of *Bathington* in the same county; and for repairing the road from *Heytesbury* to *Austray Hill* in the county of *Wills*.

Cap. 13. For repairing the road from the town of *Cirencester* to the town of *Stroud*, and that part of *Rodborough Hill* which leads to *Dudbridge*; and also the road leading from *Cirencester* towards *Bisley*, so far as the bottom of *Gulph Hill*; all in the county of *Gloucester*.

Cap. 14. To open the port of *Lancaster* for the importation of wool and woollen yarn from *Ireland*.

Cap. 15. To indemnify persons who have omitted to qualify themselves for offices and employments; and also persons who have omitted to make and file affidavits of the execution

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cution of articles of clerkship, within the time limited by law; and for allowing further time for those purposes.

Cap. 16. For enlarging the term and powers granted by two acts of parliament, for repairing and amending the highways between the town or village of *Tittensor*, and the most northern part of *Talk on the Hill* in *Butt Lane* in the county of *Stafford*.

Cap. 17. For repairing the road leading from the *Green Man* in the chapelry of *Seend* in the county of *Wilts*, through *Trowbridge* to a place called *White Trough* in the parish of *Trowbridge* in the same county; and from thence by *Road Church* to *Beckington* in the county of *Somerset*.

Cap. 18. For repairing the road leading from *Long Horsley* bar or gate, on the post road near the town of *Morpeth*, by or through *Long Horsley*, *Weldon Bridge* and *Whittingham*, to the river *Breamish*, and from thence to *Piercy's Cross* in the county of *Northumberland*.

Cap. 19. To open the port of *Great Yarmouth* for the importation of wool and woollen yarn from *Ireland*.

Cap. 20. To obviate doubts that have arisen with regard to the admission of the vassals of the principality of *Scotland*, and payment of their rents and duties.

Cap. 21. For repairing the roads from *Wallingford* in the county of *Berks*, to *Wantage*, and from thence to *Farrington*, and also from *Wantage* to *Idson* in the said county.

Cap. 22. For repairing the roads from the town of *Shrewsbury*, through *Ellesmere* in the county of *Salop*, and *Overtown* in the county of *Flint*, to *Wrexham* in the county of *Denbigh*.

Cap. 23. For the better relief and employment of the poor in the parishes of *Saint Margaret* and *Saint John the Evangelist* in the city of *Westminster*; and for cleansing the

streets, and repairing the high within the said parishes.

Cap. 24. For repairing and widening the roads from *Tinhead Hill*, *Round Stone* in *Trowbridge*; from *Flinty Nap*, to *Western* in the parish of *Edington* in county of *Wilts*; and other in the counties of *Wilts* and *Set*, leading towards the city *Bristol* and *Bath*.

Cap. 25. For granting to his Majesty a certain sum of money there mentioned, out of the sinking; and for enabling his Majesty to raise a further sum of money therein also mentioned, by exchange bills, to be charged on the sinking fund, for the service of year one thousand seven hundred and fifty two; and for the further appropriating the supplies granted in this session of parliament.

Cap. 26. To restrain the making of insurances on foreign ships bound or from the *East Indies*.

Cap. 27. For converting the several annuities therein mentioned, several joint stocks of annuities transferrable at the bank of *land*, to be charged on the sinking fund; and also for consolidating the several other annuities therein mentioned, into several joint stocks of annuities, transferrable at *South Sea House*.

Cap. 28. For repairing the post from the city of *Edinburgh* through the counties of *Linlithgow* and *ling*, from the *Boathouse Ford*, *Almond Water*, and from thence to the town of *Linlithgow*, and from the said town to *Falkirk*, and from thence to *Sterling*; and also from *Falkirk* to *Kilfyth*, and to *Inchlie Bridge*, on the post road to city of *Glasgow*.

Cap. 29. For giving a proper reward to coroners, for the due execution of their office; and for the removal of coroners upon a la-

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conviction for certain misdemeanors.

Cap. 30. To amend an act made in the last session of parliament, intituled, *An act for regulating the commencement of the year, and for correcting the calendar now in use.*

Cap. 31. To continue, explain and amend several laws more effectually to prevent the spreading of the distemper which now rages amongst the horned cattle in this kingdom.

Cap. 32. To allow the importation of gum Senega into this kingdom, from any part of Europe, upon the payment of a duty; and for relief of James Guthrie, with respect to the duties paid and secured upon a quantity of tobacco, burnt at the port of Kircudbright; and for giving farther time for payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices.

Cap. 33. For repairing the road leading from the town of Morpeth, by Wharfedale through Mifford, Thropple, Long Wharfedale, and by the north side of Rokeby Park wall, to String Cross, and to the High Cross in Elsdon in the county of Northumberland.

Cap. 34. For the more easy and speedy recovery of small debts within the town of Birmingham, and hamlet of Desitend thereto adjoining in the county of Warwick.

Cap. 35. For continuing the act for encouraging the growth of coffee in his Majesty's plantations in America; and also for continuing, under certain regulations, so much of an act as relates to the Premiums upon the importation of masts, yards and bowsprits, tar, pitch and turpentine.

Cap. 36. For the better preventing thefts and robberies, and for regulating places of publick entertainment, and punishing persons keeping disorderly houses.

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Cap. 37. For better preventing the horrid crime of murder.

Cap. 38. For the more easy and speedy recovery of small debts within the borough of Saint Albans in the county of Hertford; and the several towns, parishes, wards, hamlets and places within the liberty of Saint Albans.

Cap. 39. To obviate doubts that may arise upon an act made and passed in the eleventh and twelfth years of the reign of his late majesty King William the Third, intituled, *An act to enable his Majesty's natural born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens.*

Cap. 40. For the application of a sum of money therein mentioned, granted to his Majesty, for making compensation and satisfaction to the royal African company of England, for their charter, lands, forts, castles, slaves, military stores, and all other their effects whatsoever; and to vest the lands, forts, castles, slaves, and military stores, and all other their effects, in the company of merchants trading to Africa; and for other purposes in the act mentioned.

Cap. 41. For annexing certain forfeited estates in Scotland to the crown unalienably; and for making satisfaction to the lawful creditors thereupon; and to establish a method of managing the same; and applying the rents and profits thereof, for the better civilizing and improving the highlands of Scotland; and preventing disorders there for the future.

Cap. 42. To render valid and effectual all contracts and agreements which shall be made by the commissioners or governors of the royal hospital for seamen at Greenwich, for the purchase of lands, tenements and hereditaments, for the

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- finishing and completing the said hospital; and for ascertaining the recompence that shall be made for the same.
- Cap. 43. For the more easy and speedy recovery of small debts in the town and port of *Liverpoole*, and liberties thereof, in the county palatine of *Lancaster*.
- Cap. 44. To explain and amend an act passed in the fifth year of his present Majesty's reign, intituled, *An act to enlarge the pier and harbour of Scarborough in the county of York*; and for making the said act more effectual.
- Cap. 45. For the more easy and speedy recovery of small debts within the city and county of the city of *Canterbury*, and the liberties and precincts of the same.
- Cap. 46. For repairing and widening the road from *Almouth* through the town of *Alnwick*, to *Rothbury*, and from thence to the town of *Hexham*, and also the road leading out of the aforesaid road, between *Alnwick* and *Rothbury*, to *Jockey's Dike Bridge* in the county of *Northumberland*.
- Cap. 47. For repairing and widening the roads from the east end of *Monk Bridge*, near the suburbs of the city of *York*, to *New Malton*, and from thence to *Scarborough* in the north riding of the county of *York*; and also from *Spittle-house* in the east riding of the said county, to *Scarborough* aforesaid.
- Cap. 48. For repairing and widening the road leading from a part of the road (directed to be repaired by an act passed in the last session of parliament, from *Carlisle* to *Newcastle upon Tyne*) near *Glenwell*, to another part of the road (so making from *Carlisle* to *Newcastle*) upon *Sbilden Common* in the county of *Northumberland*.
- Cap. 49. For repairing the high road from the town of *Sbrowsbury*, thro' *Craggote*, *Harley*, *Much Wenlock*, by *Muckley Crofs*, and through *ville*, to *Bridgnorth* in the county of *Salop*.
- Cap. 50. For repairing the road from the north end of *Middle Street*, near the town of *Lewes*, to *Witch Crofs*, and from the north end of *Malling Street* aforesaid to the *Broil Park* gate; and from *Ham*, to *Witch Crofs* aforesaid lying within the county of *Sussex*.
- Cap. 51. For amending and making more effectual several acts for amending the roads from the city of *London*, to *East Grinstead* in the county of *Sussex*; and to the town of *Sutton* and *Kingston* in the county of *Surrey*; and for more effectually repairing the road from *London* to *Wotton* in the county of *Surrey*; and for repairing the road from *Wotton* to *New Crofs* in the county of *Kent*; and for repairing and widening the road from *Camberwell Green*, to the *Fox and Hound* in the parish of *Camberwell* in the county of *Kent*.
- Cap. 52. For widening and repairing the road from *Cambridge* in the county of *Somerset*, to *Bradford* in the county of *Wiltshire*; and from thence through *Hilperton*; and as far over *Ashton Common*, as to the road which leads from *St. Asaph* to *Trowbridge*; and also the road leading from *Bradford* aforesaid, to *Cockbill Gate* in the county of *Wiltshire*.
- Cap. 53. For repairing the road from *Knarborough* in the county of *Gloucestershire*, by *Longflat Lane*, *Gouldsbooth Fields*, *Flaxby*, *Allerton*, *Maule* and *Scate Moor*, to *Green Hamm* in the same county; and for making the same a high carriage road.
- Cap. 54. For amending the several roads leading from the town of *Taunton* in the county of *Somerset*.
- Cap. 55. For explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty, for the repairing and enlarging the roads from the town of *Selby* in the west riding

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the county of *York*, to the town of *Leeds*; and from thence in two several branches, one through *Bradford* and *Horton*, and the other through *Bowling* and *Wibsey*, to the town of *Halifax* in the same riding; as relates to that part of the said roads which lies between *Leeds* and *Halifax*.

Cap. 56. For repairing the several roads leading from the town of *Bromyard* in the county of *Hereford*, to the several places called the *Halfway Ash* in the parish of *Docklow*, *Herefordshire Lake* in the parish of *Whitburne*, *Perry Bridge* in the parish of *Stoke Bliss*, leading through the several parishes of *Edwin*, *Ralph*, *Collington*, and the hamlet of *Little Kyre*, *Sapey Wood* in the parish of *Upper Sapey*, *Bishop's Froome*, *Woosferwood Gate*, and *Herefordshire Lake* in the said parish of *Bromyard* in the counties of *Hereford* and *Worcester*.

Cap. 57. For repairing and widening the road leading from *Market Harborough* in the county of *Leicester*, through *Desborough*, *Rowell*, *Kettering*, *Barton Seagrave* and *Thrapston* in the county of *Northampton*; and through *Bythorne*, *Spaldwick* and *Ellington*, to the *Pound* in the parish of *Brampton* in the county of *Huntingdon*.

Cap. 58. For repairing the roads from the town of *Leeds*, through *Harwood*, to the south west corner of the inclosures of *Harrowgate*; and from thence in two branches (one through *Ripley*, over *Burage Green*, and the other through *Knareborough* and *Boroughbridge*) to *Ripon*; and from thence to the first rill of water or watercourse on *Hutton Moor* in the county of *York*; and for repairing the sloughs or rutts on the said moor.

Cap. 59. For repairing and widening the roads leading from *Chippenham Bridge* in the county of *Wills*, to

the top of *Togg Hill* in the county of *Gloucester*; and from *Chippenham Bridge* afore said, to the top of *Old Sodbury Hill* in the said county of *Gloucester*.

Cap. 60. For repairing and amending the several roads leading from the west end of *Upton Bridge* in the county of *Worcester*, to the parish of *Tirley* in the county of *Gloucester*, and to the parish of *Colwall* in the county of *Hereford*; and to the further side of a place called *The Rid Green* in the road to the city of *Worcester*, and through a place called *Roberts End Street* to *Malvern Chace* in the said county of *Worcester*.

Private Acts.

Anno 25 Georgii II.

1. An act for enabling *George Oxenden* esquire, and his heirs, to use the surname, arms and crest of *Dixwell*, pursuant to the will of Sir *Basil Dixwell* baronet, deceased.
2. An act for enabling *William* duke of *Devonshire*, to make provision for his younger sons, out of his estate in the county of *Huntingdon*.
3. An act for supplying certain defects and omissions in a settlement of the family estates of *Peregrine* duke of *Ancafter* and *Kesteven*, by enabling him to raise portions thereout for his daughters, in the manner therein mentioned.
4. An act for empowering the trustees of the will of *William* late marquis of *Powis*, to make sales, exchanges, and leases of divers parts of his estate, for the purposes therein mentioned, and for making the exemplification of the same will, and attested copies of the inrollment thereof, evidence in all courts in *Great Britain*.
5. An act to enable the right honourable *William* lord *Blantyre*, and the heirs of entail for the time being, to

A TABLE of the STATUTES.

alienate, by way of exchange or excambion, certain lands in the constabulary of *Haddington*, and shire of *Edinburgh*.

6. An act for confirming a lease or grant, made by the devisees of the real estate late of the right honourable *Buffy*, late lord *Mansel*, in the county of *Glamorgan*, to *Rowland Pytt* iron-master, for certain purposes therein expressed.
7. An act for sale of certain estates in the counties of *Norfolk* and *Suffolk*, comprized in the marriage settlements of *Sir William Harbord* baronet, and knight of the most honourable order of the *Bath*, and for purchasing other estates to be settled to the like uses in lieu thereof.
8. An act for providing and securing portions and maintenance for the younger sons and daughter of *Sir Thomas Heathcote* baronet.
9. An act for vesting divers manors and lands in the counties of *Lancaster* and *Chester*, devised by the will of the late *Sir John Bland* baronet, deceased, in the present *Sir John Bland*, in fee-simple, discharged of the trust of the said will, and for settling an estate in the county of *York*, in lieu thereof, and in exchange for the same.
10. An act for sale of part of the intailed estate of *Sir George Mackenzie* knight, deceased, lying in that part of *Great Britain* called *Scotland*, and for purchasing other estates to be settled to the same uses, and for other purposes therein mentioned.
11. An act for vesting divers lands and hereditaments in the county of *Oxford*, devised by the will and codicil of *Nathaniel Bacon* esquire, deceased, in *Edward Bacon* esquire, in fee-simple, and for settling an estate in the county of *Norfolk*, of greater value, to the uses limited by the same will and codicil.
12. An act to empower the guardians of *William Wyndham* esquire, an infant, to make leases and hold grants of his estates, manor of *Uphaven*, and in and *Odcombe* in the county of *Wilt* and *Somerset*, during minority.
13. An act for sale of the moiety of the manor of *Icombe*, part settled estate of *Richard* esquire, and others, and lay the money arising thereby in purchase of an entire estate settled to the same uses.
14. An act to empower the committee or committees of *Thomas* esquire, a lunatick, for being, to make leases and conveyances of his estates, in the counties of *Berks*, *Essex* and *Surry*, for other purposes therein mentioned.
15. An act for vesting the real estate of *William Barnesley* esquire, deceased, in trustees, for the use of *William Barnesley* esquire, his son and heir, who is a lunatick, and for raising money to pay the costs of several suits and proceedings at law, and in equity, for recovery of the said estate.
16. An act for vesting the moiety of *Stepney*, and divers lands and hereditaments in the parish of *Stepney* in the county of *Middlesex*, comprized in the marriage settlements of *John Wicker* esquire, in his heirs, and for settling the counties of *Suffex*, *Sussex* and *Kent*, in lieu thereof, to the same settlement.
17. An act to empower *John* merchant, to make a jointure for any future marriage.
18. An act to enable the commissioners for executing the office of the Exchequer of his Majesty's exchequer, the lord high treasurer for being, to compound with *Whitehead* of *Bristol*, merchant, his sureties, *John Whitehead* and *Thomas Whitehead*, a debt due to the crown for customs for tobacco.

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19. An act to dissolve the marriage of *Daniel Lascelles* of *London*, merchant, with *Elizabeth Southwicke*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.
20. An act to dissolve the marriage of *Thomas Benson* gentleman, with *Jane Board* his now wife, and to enable him to marry again, and for other purposes therein mentioned.
21. An act to enable his Majesty to grant the inheritance of the manor of *Crowland*, in the county of *Lincoln*, to trustees, in trust for *Thomas Orby Hunter* esquire, and his heirs, upon a full and valuable consideration to be paid for the same.
22. An act to extinguish the right of the lord of the manor of *Ombersley*, in the county of *Worcester*, of keeping a warren for conies on *Linall Common*, the *Birchin Valley*, and the *Lytb*, and for securing to the said lord the rent now paid for the same; and for annexing and uniting the said *Birchin Valley* to several ancient copyholds, or customary tenements, within the said manor.
23. An act for dividing and inclosing the common fields and common meadows of *Narborow*, otherwise *Narborough*, in the county of *Leicester*.
24. An act for confirming articles of agreement, and an award, for inclosing and dividing certain wastes and commons in the manor of *Ridley*, in the county of *Northumberland*.
25. An act for dividing and inclosing the common fields, common pastures, common meadows, common grounds, and waste grounds, in the hamlet of *Drayton*, within the parish of *Daventry*, in the county of *Northampton*.
26. An act for establishing and rendering effectual certain articles of agreement, for the inclosing and dividing the commons and waste grounds in the townships of *Snaith*, *Cowick* and *Rawcliffe*, in the county of *York*.
27. An act for inclosing and dividing *Wytham on the Hill Infield*, in the county of *Lincoln*, and for settling a stipend on the vicar in lieu of glebe and tythes.
28. An act to empower *Richard Chandler* esquire, and *Elizabeth* his wife, and their issue, to take and use the surname of *Cavendish*.
29. An act to enable *John Cave*, now called *John Browne*, and his issue, to take and use the surname of *Browne*.
30. An act to enable *Michael Archer* esquire, and his issue male, to take and use the surname of *Newton* only, and to take and use the coat of arms of the family of *Newton*.
31. An act for naturalizing *Jane Magdalen Robelon*.
32. An act for naturalizing *Francis Degen*.
33. An act for naturalizing *John Matthias Miller*.
34. An act for naturalizing *Frederick William Commerell*, *John Anthony Toopken*, and *Christian Gottfried Moser*.
35. An act for naturalizing *Christian Samuel Geledneki*.
36. An act for naturalizing *Philip Denoyer*.
37. An act for naturalizing *James Fremeaux* merchant.
38. An act for naturalizing *Andrew Girardot*.
39. An act for naturalizing *Peter Auriol* and *David Pratviel* of *London*, merchants.
40. An act for naturalizing *Andrew Annibal Leques*, and *Frederick Charles Augustus Blomberg*.
41. An act for naturalizing *Johan Meybohm*.

The END of the TABLE.

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T H E

STATUTES at Large, &c.

Anno vicefimo tertio GEORGII II. *Regis.*

AT the parliament begun and holden at Westminster, the tenth day of November, Anno Dom. 1747, in the twenty first year of the reign of our Sovereign Lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the sixteenth day of November, 1749, being the third session of this present parliament.

CAP. I.

As for reducing the several annuities, which now carry an interest after the rate of four pounds per centum per annum, to the several rates of interest therein mentioned.

Most gracious Sovereign,

WHEREAS there is now due and owing from the publick, to the proprietors of certain annuities payable at the receipt of His Majesty's exchequer, the sum of three hundred and twelve thousand pounds, and to the corporation of the governor and company of the bank of England, in their own right, the sum of eight millions, six hundred eighty six thousand eight hundred pounds; and to the proprietors of certain annuities transferrable there, the sum of eighteen thousand four hundred two thousand four hundred seventy two pounds, and ten pence; and to the corporation of the united company of merchants of England trading to the East Indies, the sum of three millions two hundred thousand pounds; and also to the governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fishery, commonly called the South Sea Company, in their own right, and for the use and benefit of the proprietors of the annuities, commonly called the Old South Sea Annuities, and New South Sea Annuities, the sum of seven millions three hundred two thousand two hundred three pounds, five shillings, and six pence halfpenny: all which said several and respective principal sums do amount in the whole to the sum of fifty seven millions seven hundred three thousand four hundred seventy five pounds six shillings, and four pence halfpenny, and are attended

with annuities, or an interest after the rate of four pounds per centum per annum, redeemable by parliament: and whereas your majesty hath been pleased, by your most gracious speech to both houses assembled in parliament, to recommend to your dutiful and faithful commons of Great Britain, to be watchful to improve any opportunity of putting the national debt in a method of being reduced, with a strict regard to publick faith and private property; and your said dutiful and loyal commons being truly sensible, that nothing can so effectually contribute to make the trade of this kingdom flourish, and render your Majesty's reign glorious to posterity, as the lessening the publick debts and incumbrances, consistent with justice and publick faith, have resolved, that any person or persons, bodies politick or corporate, who now are, or hereafter may be, interested in, or intitled unto, any part of the national debt redeemable by law, incurred before Michaelmas one thousand seven hundred and forty nine, which now carries an interest after the rate of four pounds per centum per annum, and who shall, on or before the twenty eighth day of February, one thousand seven hundred and forty nine, subscribe their names, or signify their consent to accept of an interest of three pounds per centum per annum, to commence from the twenty fifth day of December, one thousand seven hundred and fifty seven, subject to the same provisos, notices, and clauses of redemption, which their respective four per cents are now liable to, shall in lieu of their present interest be intitled unto, and receive an interest of four pounds per centum per annum till the twenty fifth day of December, one thousand seven hundred and fifty; and from and after the said twenty fifth day of December, one thousand seven hundred and fifty, an interest of three pounds ten shillings per centum per annum, until the said twenty fifth day of December, one thousand seven hundred and fifty seven; and no part of the same, except what is due to the East India company, shall be liable to be redeemed till after the said twenty fifth day of December, one thousand seven hundred and fifty seven; and that all executors, administrators, guardians, and trustees, may subscribe and signify such consent for the several parts of the said debt, for the holding of which their names are made use of respectively; and that all duties, revenues, and incomes which now stand appropriated to the payment of the said interest of four pounds per centum per annum respectively, shall continue, and be appropriated and applied to the payment of the respective interest of four pounds per centum per annum, three pounds ten shillings per centum per annum, and three pounds per centum per annum, in the same manner as the same now stand appropriated to the payment of the said four pounds per centum per annum; and that the surplusses of the said funds, after the said twenty fifth day of December, one thousand seven hundred and fifty, shall be made part of the Sinking fund, and applied in the same manner as the surplusses of the said funds are now applicable; and also that books be opened at the receipt of his Majesty's exchequer, at the bank of England, and South Sea house, for receiving the said subscriptions or consent: they therefore do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of

the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That any person or persons, bodies politick or corporate, who now or hereafter may be interested in, or intitled unto, any part of the said national debt redeemable by law, incurred before *Michaelmas*, one thousand seven hundred and forty nine, amounting in the whole to the sum of fifty seven millions seven hundred three thousand four hundred seventy five pounds, six shillings and four pence halfpenny, which now carries an interest at the rate of four pounds *per centum per annum*, and who have or shall, on or before the said twenty eighth day of *February*, one thousand seven hundred and forty nine, subscribe their names or signify their consent, to accept of an interest of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, subject to the same provisos, notices, and clauses of redemption, which their respective four *per cents* are now liable to, shall, in lieu of their present interest be intitled unto, and receive an interest of four pounds *per centum per annum*, until the said twenty fifth day of *December*, one thousand seven hundred and fifty; and from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, an interest of three pounds ten shillings *per centum per annum* until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven; and no part of the same, except what is due to the *East India* company, shall be liable to be redeemed till after the said twenty fifth day of *December*, one thousand seven hundred and fifty seven.

II. And be it further enacted by the authority aforesaid, That the several annuities of four pounds *per centum per annum*, now payable in respect of the said principal sum of fifty seven millions seven hundred three thousand four hundred seventy five pounds, six shillings, and four pence halfpenny, to the proprietors thereof, and by this act continued to them until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, as also the several and respective reduced annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, by this act made payable in lieu thereof, from the respective days therein mentioned, shall during the respective continuances thereof, be paid and payable to the respective persons and corporations intitled thereunto, their executors, administrators, and assigns, at the same respective times and places, and out of the same duties, revenues, and taxes, and at such time or times, and shall be assignable, alienable, and disposeable, in the same manner and form, as the said annuities of four pounds *per centum per annum*, are now payable, assignable, transferrable, and disposeable, by the respective acts or statutes now in force, for or concerning the same, and as if this present act had never been made, subject nevertheless to redemption by parliament, from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven.

Persons interested in the national debt, amounting to 57,703,475 l. 6s. 4 d. 2 q. which now carries an interest of 4 l. per cent. who shall consent to accept of 3 l. per cent. from 25 Dec. 1757, shall receive 4 l. per cent. until 25 Dec. 1750, and 3 l. 10 s. per cent. until 25 Dec. 1757. 23 Geo. 2. c. 22.

The said annuities made payable and transferrable in the same manner as the present annuities,

subject to redemption after 25 Dec. 1757.

ſeven, in manner herein after-mentioned; any thing he contained to the contrary thereof, in any wiſe notwithſtandii

III. *And whereas books have been already opened in purſuance reſolution of the commons of Great Britain, in this ſeſſion of parliament, in the office of the auditor of the receipt of his Maſteſty's chequer at Weſtminſter, and alſo at the reſpective offices of the vernor and company of the bank of England, and of the ſaid governor and company of merchants of Great Britain trading to the Se Seas, and for encouraging the fiſbery, commonly called the South Company, for taking in the ſubſcriptions, or receiving the conſent of ſuch perſons or corporations, as now are, or ſhall be, intereſted or intitled unto, any part of the ſaid annuities or intereſts, after ſaid rate of four pounds per centum per annum, who are wiſe to accept of an annuity of three pounds ten ſhillings per centum annum, in lieu thereof, from the ſaid twenty fifth day of December, one thouſand ſeven hundred and fifty, until the ſaid twenty day of December, one thouſand ſeven hundred and fifty ſeven, of an annuity of three pounds per centum per annum, from the twenty fifth day of December, one thouſand ſeven hundred and ſeven, in ſuch manner as hath already been, or hereafter ſhall be rected in that behalf: and whereas in purſuance of the ſaid reſolution, notices have already been affixed in the office of the auditor of ſaid receipt of exchequer, and in other the publick offices aforeſaid, at the Royal Exchange of London, and alſo publiſhed in the London Gazette, that the book or books for taking in the ſaid ſubſcriptions, or receiving the ſaid conſents, were laid open at the ſaid receipt of exchequer, and in other the publick offices aforeſaid, to the end proprietors of the ſaid annuities, after the ſaid rate of four pounds per centum per annum, might be apprized thereof, and make ſubſcriptions, or give their conſents, in the ſaid reſpective books, under a proper preface to be prepared for that purpoſe, by ſcribing their reſpective ſums, names, and places of abode, with her, or their reſpective proper additions: and whereas it may ſo appear, that notwithstanding the ſaid ſeveral notices, many of the perſons or corporations intitled to the ſaid annuities or intereſts, after ſaid rate of four pounds per centum per annum, may hitherto omitted to make ſuch ſubſcriptions, or give their conſents in the books, in the manner before-mentioned; be it therefore enacted by the authority aforeſaid, That the ſaid ſeveral and reſpective books ſhall conſtantly be opened at the ſaid receipt of exchequer, and other the publick offices aforeſaid, for that purpoſe every day, Sundays only excepted, until the ſaid twenty eighth day of February, one thouſand ſeven hundred and forty n inclusive, and no longer; ſubject nevertheless to ſuch further directions, with reſpect to the taking in or receiving ſuch ſubſcriptions or conſents from the proprietors of the ſaid annuities of four pounds per centum per annum, as ſhall or may be given by the commiſſioners of the treaſury or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, for benefit and advantage of the publick; and it ſhall and may lawfully*

Books to be open at the exchequer, &c. until 28 Feb. 1749, for ſubſcriptions of the 4 l. per cent.
See 23 Geo. 2. c. 22.

lawful to and for the proprietors of the said annuities of four pounds *per centum per annum*, or such person or persons, as he, she, or they shall respectively authorize and empower by writing in that behalf, to subscribe or consent for them, in manner aforesaid, to have free access to the said several books, at all seasonable hours, and they have hereby power to make their subscriptions, or give their consents therein, for the whole sum or sums due to them, or any of them, according to this act, without any fee or charge whatsoever; and the several and respective officers of the said receipt of exchequer, and of other the publick offices aforesaid, appointed or to be appointed to take in such subscriptions, or receive such consents, as aforesaid, shall, during the time aforesaid, constantly attend at the said respective offices for that purpose, at such hours as business is usually transacted at the said several and respective publick offices.

IV. And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politick or corporate, who have or shall, on or before the said twenty eighth day of *February*, one thousand seven hundred and forty nine, have subscribed, or given their consent in the book or books aforesaid, to accept of an interest or annuity after the rate of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven; and of an annuity of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, in lieu of their present annuities of four pounds *per centum per annum*, shall have, receive, and enjoy, and they are hereby declared to be intitled to an annuity of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven; and to an annuity of three pounds *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, redeemable by parliament, in manner herein-after mentioned; and the said annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, and the principal or capital for which the same shall be payable, are hereby declared, and shall be adjudged, taken, and accepted in construction of law, and in all courts of law and equity whatsoever, to all intents and purposes whatsoever, to be a personal and not a real estate, and shall go to the executors or administrators of the person or persons dying possessed thereof, interested therein, or intitled thereunto, and not to the heirs of such person or persons; any law, statute, custom, or usage to the contrary notwithstanding; and that the said annuities shall be free from all taxes, charges, and impositions whatsoever, in the same manner as they now are.

Annuities secured to the subscribers;

personal estate,

free from taxes.

V. And it is hereby enacted and declared, That it shall and may

&c. impow-
ered to sub-
scribe.

may be lawful for all executors, administrators, guardians, trustees, committees of the estates of ideots or lunaticks, and the accomptant general of the court of chancery, and the deputy remembrancer of his Majesty's court of exchequer, to make, or cause to be made, subscriptions in the said book or books, signifying their consent to accept an interest or annuity of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, and of an annuity of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, for and on the behalf of their respective testators, infants, minors, femes covert, ideots, or lunaticks, and the suitors of the court of chancery, and of the said court of exchequer, and others, for whom they are or shall be respectively entrusted; and such executors, administrators, guardians, trustees, committees, and accomptant general, and deputy remembrancer, are, and shall be, by virtue of this act, indemnified in and for doing the same.

Treasury to
defray the
charges.

VI. Provided always, and be it further enacted by the authority aforesaid, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized, out of any money remaining in the receipt of the exchequer, of or for the duties, revenues, and incomes appropriated for the payment of the said annuities of four pounds *per centum per annum*, to reward all such persons as shall be any ways employed in the execution of this act, in relation to the taking in such subscriptions, or receiving such consents as aforesaid, and to defray all such incident charges, as shall necessarily attend the execution of the said act, in such manner as to them shall seem just and reasonable.

The funds
made subject
to the reduced
interest,

VII. And it is hereby also enacted by the authority aforesaid, That all the duties, revenues, and incomes which are now appropriated, subject, or applicable to the payment of the said annuities of four pounds *per centum per annum*, shall, from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, be subject and liable to the payment of such of the said annuities of four pounds *per centum per annum*, as shall not be subscribed, in case any shall be unsubscribed, and also of the said reduced annuities of three pounds ten shillings, and three pounds *per centum per annum*, in the same manner, to all intents and purposes, as the same were liable and subject to the payment of the said annuities of four pounds *per centum per annum*; and all the monies coming into the exchequer, of or for the several duties, revenues, and incomes, appropriated, subject, or liable to the payment of the said unsubscribed annuities and of the said reduced annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, which

and the sur-
plus as be-
fore.

which shall be more than sufficient to answer and pay the said respective annuities, shall, from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, be applied to the same uses, intents, and purposes, and in the same manner, as the several surplusses, excesses, or overplus monies of the said duties, revenues, and incomes are now applicable.

VIII. Provided always, and it is hereby enacted by the authority aforesaid, That from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, the said reduced annuities of three pounds *per centum per annum*, shall and may be redeemed by parliament, upon giving the said notices, and making the same payments of principal money at a time to such persons or corporations as now are, or hereafter shall be, intitled to the said annuities, and of all arrearages of the said annuities, as are directed to be given and made by the several and respective acts, by which the said several annuities, after the rate of four pounds *per centum per annum*, were made payable, and from and after payment of any such principal money, to the said persons or corporations, as are or shall be intitled to the same, a proportional part of the said annuities shall cease and determine, and be understood to be redeemed; any thing in this or any former act or acts of parliament to the contrary in any wise notwithstanding.

Clause of redemption.

CAP. II.

An act for granting an aid to his Majesty by a land tax to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty. EXP. *At 3 s. in the pound.*

CAP. III.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and fifty. EXP.

CAP. IV.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters. EXP.

CAP. V.

An act for enlarging the term and powers granted by an act passed in the fifth year of the reign of his present Majesty, for repairing and amending the roads leading from the town of Manchester in the county of Lancaster, through the town of Ashton under Line, and parish of Mottram Longdendale, and from thence to Salters Brook in the county palatine of Chester.

The act 5 Geo. 2. c. 10. continued for 21 years.

CAP. VI.

An act for repairing, improving, and maintaining the haven and piers of Great Yarmouth; and for deepening, and making more navigable the several rivers emptying themselves into the said haven; and also for preserving ships, wintering therein, from accidents by fire.

WHEREAS by an act made in the twentieth year of his present Majesty's reign, intituled, An act to revive, continue, ^{10 Geo. 2. c. 40.} and

and amend an act made in the ninth year of the reign of his late majesty King George the First (intituled, *An act for clearing, deepthning, repairing, extending, maintaining, and improving the haven and piers of Great Yarmouth; and for deepthning and making more navigable the feveral rivers emptying themselves at the said town; and also for preserving ships, wintering in the said haven, from accidents by fire*) the several duties, granted by the said act made in the ninth year of his said late Majesty's reign, for the purposes therein mentioned, were revived and made payable, from the twenty fourth day of June, one thousand seven hundred and forty seven, for and during the term of two years, and from thence to the end of the then next session of parliament: and whereas the said duties, revived and made payable as aforesaid, have not been sufficient for the effectual reparation and improvement of the said haven and piers, which (notwithstanding very great sums of money have already been expended in and about the same) have of late been, and still continue in so bad a condition, that the same will, unless some further and more effectual provision be made by parliament for the preservation thereof, in a short time fall into irreparable decay, and the harbour, so beneficial to the trade and navigation of this kingdom, become inaccessible: therefore for preserving to the inhabitants of the said borough, and of the adjacent counties, the benefit of the said haven and piers; and to the end that the said haven, which is of so great importance to the trade of these kingdoms in general, may be cleared and deepthened, and the said piers repaired, extended, altered, improved, and maintained; and that the jettee on the north side of the said haven may be repaired and preserved, and timber, and other materials for those purposes, provided from time to time, as occasion shall require; and that the channel of that part of the river Yare called Braidon, leading from Great Yarmouth to the city of Norwich, and so much of the river Wenson, commonly called Yare, as lies between the new mills in Norwich and Hardly Crofs in Hardly, in the county of Norfolk, and also the river Waveney, and also the river Bure, commonly called the North River (which said rivers empty themselves into the said haven) may be deepthened and made more navigable for boats and keels usually passing upon the same, and that the bridge and publick keys belonging to the said town, may be repaired; may it please your Majesty that it may be enacted, &c.

From the 25th of March, 1750. the duties payable by the said act shall cease; and there shall be paid for 21 years, and to the end of the next session, by every master of a ship, which shall unlade within the haven, or in Yarmouth Road, from the south part of Scratby, to the north part of Corton, for every chaldron of coals, last of wheat, or other grain, and weigh of salt, and for every ton of other goods (fish excepted) viz. for 7 years 1 s. 6 d. and for the remainder of the 21 years. &c. 10 d. or such greater sum, as the commissioners shall order, not exceeding 12 d. Collectors to pay over the monies to the chamberlain. Salary allowed them of 6 d. in the pound. Corporation to be answerable for all monies received; and empowered to call the collectors and chamberlains to account; and to levy the same by distress and sale; and where no distress can be had, to commit the party. Twelve commissioners to be nominated annually: three by the corporation of Yarmouth, three by the corporation

poration of Norwich, three by the justices of Norfolk, and three by the justices of Suffolk. Proportion in which the duties are to be applied. 1d. 2q. towards cleaning the river Yare, &c. and the expence of a commission of sewers. 2q. towards cleaning the north river, &c. and the expences of a commission of sewers. 2q. towards clearing the river Waveney, and the expences of a commission of sewers. 2q. towards repairing the bridge, and publick keys. Other 3d. in the following proportions: 2q. towards clearing the river Bure; 2d. 2q. towards clearing the river Yare. The last mentioned 3d. not be raised unless necessary, and notice be given by the commissioners to the mayor. 4d. to be applied for 7 years in clearing the haven, &c. If the said sum shall not be sufficient, the commissioners impowered to order a further part of the residue of the duties to be applied towards clearing the haven. Not to be applied in erecting new works, &c. 8d. to be applied for 7 years in extending the haven, and erecting new works. Commissioners to appoint a committee of 12 inhabitants, who are to inspect the works, &c. The duty of 8d. to cease upon certificate of the works being compleated. Upon determination of the duty of 8d. 4d. is to be applied towards clearing the haven, &c. If 4d. shall not be found sufficient, the commissioners to direct a further sum of 2d. to be raised. If the commissioners shall not audit the accounts yearly, the corporation is impowered to examine the same. No ship to be cleared at the custom-house till payment of the duties. Fish oil, &c. exempted from payment of the duties. On re-exportation of goods, the duties to be repaid. Penalty on throwing ballast, &c. into the haven. The mayor to appoint a nightly watch. Vessels wintering to pay 2q. per ton, towards the watch. Penalty of 10s. on suffering fire or lighted candle in ships wintering in the haven. Watch impowered to go on board to extinguish lights. No vessel to be moored with her side towards the key for longer than one tide, &c.

CAP. VII.

An act for enlarging the term and powers granted and continued by two former acts of parliament for repairing, widening, and amending the roads from Wigan to Preston in the county palatine of Lancafter; and for making the said acts more effectual.

The acts 13 Geo. 1. c. 10. and 20 Geo. 2. c. 8. continued for 21 years.

CAP. VIII.

An act for enlarging the term and powers granted and continued by two acts of parliament, for amending the highways leading from Brampton Bridge to Welford Bridge, in the county of Northampton, and the great post road from Morter Pitt Hill to Chain Bridge, leading into Market Harborough in the county of Leicester; and for explaining and making more effectual the said acts; and also for repairing the roads leading from Morter Pitt Hill and Brampton Bridge to the town of Northampton.

The acts 8 Geo. 1. c. 13. and 12 Geo. 2. c. 35. continued for 21 years.

CAP. IX.

An act for repealing the duties now payable upon China raw silk, and for granting other duties in lieu thereof.

WHEREAS the duties now payable upon raw silk imported from China are a great discouragement to the importation thereof: and whereas a constant and plentiful supply of that valuable commodity to be manufactured in this kingdom will be a publick benefit, and greatly contribute to the increase and improvement of the silk manufactures: therefore we, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, being desirous to promote and encourage the manufactures of this kingdom, do
most

The present
duties payable
on importa-
tion of raw
filk from
China to cease.

Raw filk from
China to pay
the same du-
ties as raw
filk of Italy.

The manner
of levyng and
application of
the duties.

Raw filk from
China, to be
allowed the
same draw-
back.

most humbly beseech your Majesty, that it may be and be it enacted by the King's most excellent majesty with the advice and consent of the lords spiritual and and commons, in this present parliament assembled, a authority of the same, That from and after the two- day of *June*, one thousand seven hundred and fifty, t rates, duties, subsidies, and impositions, now payable importation of raw filk of the growth or produce of virtue of several acts of parliament now in force, shall termine, and be no longer paid.

II. And be it further enacted by the authority aforesaid from and after the said twenty fourth day of *June*, al imported from *China* into this kingdom by the united of *Merchants of England* trading to the *East-Indies*, c licence from the said company, shall, in lieu of the duties, subsidies, and impositions, by this act repea- forefaid, be charged with and pay the same rates, du- fidies, and impositions, as are now charged upon, an for, raw filk of the growth or produce of *Italy*; which duties, subsidies, and impositions, by this act granted paid by the said united *East-India* company, at the sa- and in the same manner, as the several rates, duties, and impositions, by this act repealed, as aforesaid, h paid.

III. And be it further enacted by the authority That the several rates, duties, subsidies, and imposi- this act granted, shall be raised, levied, collected, pai- plied, in such manner, and for the same purposes, as several rates, duties, subsidies, and impositions, by th- repealed, as aforesaid, are now respectively raised, levie- ed, paid, and applied; and all the provisions of or i- or law now in force for raising, levyng, collecting, pa- applying the rates, duties, subsidies, and impositions h- repealed, as aforesaid, shall be in full force, and shall execution for raising, levyng, collecting, paying, and the rates, duties, subsidies, and impositions, by this a- ed, as fully and effectually, to all intents and purpo- the said provisions were particularly repeated and re-e- the body of this present act.

IV. And be it further enacted and declared by the aforesaid, That all raw filk of the growth or produce imported after the twenty fourth day of *June*, shall, exportation thereof from this kingdom, be intituled t- ceive the same drawbacks and allowances only, as ar- law directed to be paid upon the exportation of raw si- growth or produce of *Italy*; any law or usage to the notwithstanding.

CAP. X.

An act for enlarging the term and powers granted by an act pa- fourth year of the reign of his present Majesty, *For repair*

leading from the town of Fulham in the county of Middlefex, through Fulham fields, to the great road near the pound at Hammersmith in the said county.

The act 4 Geo. 2. c. 34. continued for 21 years.

CAP. XI.

An act to render prosecutions for perjury, and subornation of perjury, more easy and effectual.

WHEREAS by reason of difficulties attending prosecutions for perjury, and subornation of perjury, those heinous crimes have frequently gone unpunished, whereby wicked and evil-disposed persons are daily more and more emboldened to commit the same, to the great dishonour of God, and manifest let and hindrance of justice; for remedy whereof be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That in every information or indictment to be prosecuted against any person for wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged upon the defendant, and by what court, or before whom the oath was taken (averring such court or person or persons, to have a competent authority to administer the same) together with the proper averment or averments to falsify the matter or matters wherein the perjury or perjuries is or are assigned; without setting forth the bill, answer, information, indictment, declaration, or any part of any record or proceeding either in law or equity, other than as aforesaid; and without setting forth the commission or authority of the court, or person or persons before whom the perjury was committed; any law, usage, or custom to the contrary notwithstanding.

What shall be sufficient in indictments of perjury.

II. And be it further enacted by the authority aforesaid, That in every information or indictment for subornation of perjury, &c. for subornation of perjury, or for corrupt bargaining or contracting with others to commit wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged upon the defendant, without setting forth the bill, answer, information, indictment, declaration, or any part of any record or proceeding, either in law or equity, and without setting forth the commission or authority of the court, or person or persons before whom the perjury was committed, or was agreed or promised to be committed; any law, usage, or custom to the contrary notwithstanding.

Informations, &c. for subornation of perjury.

III. And the better to prevent great offenders from escaping punishment by reason of the expence attending such prosecutions; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any of his Majesty's justices of assize, or *Nisi prius*, or general gaol delivery, or of any of the great sessions of the principality of Wales, or of the counties palatine; and they are hereby authorized (sitting the court, or within twenty four hours after) to direct any person examined as a witness upon any trial before him or them, to be prosecuted for the said offence of perjury, in case there shall appear to him

Justices of assize, &c. may direct prosecutions against persons examined before them being guilty of perjury.

and assign the
prosecutor
council.

The prosecu-
tion to be car-
ried on with-
out fees.

The clerk of
assize to give
the prosecutor
a certificate.

or them a reasonable cause for such prosecution, and that it shall appear to him or them proper so to do; and to assign the party injured, or other person undertaking such prosecution, council, who shall and are hereby required to do their duty without any fee, gratuity, or reward for the same: and every such prosecution, so directed as aforesaid, shall be carried on without payment of any tax or duty, and without payment of any fees in court, or to any officer of the court, who might otherwise claim or demand the same; and the clerk of assize, or his associate or prothonotary, or other proper officer of the court (who shall be attending when such prosecution is directed,) shall and is hereby required, without any fee or reward, to give the party injured, or other person undertaking such prosecution, a certificate of the same being directed, together with the names of the council assigned him by the court; which certificate shall in all cases be deemed sufficient proof of such prosecution having been directed as aforesaid, provided that no such direction or certificate shall be given in evidence upon any trial to be had against any person upon a prosecution so directed as aforesaid.

CAP. XII.

An act for improving the navigation of the river Loyne, otherwise called Lune; and for building a quay or wharf near the town of Lancaster in the county palatine of Lancaster.

WHEREAS the town of Lancaster, in the county palatine of Lancaster, from its great and extensive commerce to the West Indies, and other foreign parts, is now become a very considerable port; and has for some time past employed and maintained great numbers of ships, mariners, and seamen, to the great advancement of the revenue, and the improvement of the trade and navigation of this kingdom: and whereas the navigation of the river Loyne, otherwise called Lune, is become very difficult and dangerous; and the only place near the said town where ships can be moored and discharged, is by reason of the shoals, and other obstructions in the soil of the said river, become very unfit and unsafe for that purpose: inasmuch that many ships and vessels stationed there, have been overset and damaged, to the great loss of the owners and freighters thereof respectively: and whereas it is conceived to be highly necessary for the benefit and improvement of the said navigation, that a quay or wharf, with other conveniencies, should be built and erected on the south west side of the said river, and that buoys should be placed at the entrance into the said river, and other parts thereof, and land marks erected, for guiding and directing ships and vessels to and from the said town; and that a place of safety should be made for the harbouring and protection of the shipping at or near the mouth of the said river; which would tend not only to the preservation and security of ships trading to and from the said town, but also of his Majesty's ships of war, and other vessels, that should put in there by stress of weather, or otherwise: and whereas the reverend James Fenton doctor of laws, vicar of the parish church

church of Lancaster, and in the diocese of Chester, is in right of the said church seised of and in divers parcels of land and ground herein after-mentioned and described, which are very commodiously and conveniently situated for the purposes afore-mentioned; and the right reverend Samuel lord bishop of Chester, the ordinary, Edward Mar- ton esquire, the patron or owner of the advowson of the vicarage of the said church, and the said James Fenton, the present incumbent thereof, have respectively consented and agreed, that the said pieces or parcels of ground shall be converted, applied, and disposed of, for the purposes herein after-mentioned; but under, and subject to the rents, reservations, provisions, and restrictions herein after expressed, pro- vided, and declared: wherefore for the promoting, carrying on, and effecting a design so beneficial for the town of Lancaster, and so conducive to the increase of trade and navigation, and the good of the publick; may it please your most excellent Ma- jesty, that it may be enacted, &c.

Certain parcels of lands vested in trustees, for the purposes of this act. The vicar of the parish to be paid thereout an annual rent of 14l. 14s. by quarterly payments. The lands to be employed as a wharf, &c. Upon the death of any trustee, another to be chosen, &c. Conveyance of the premises to be made to the new trustee. The trustees to separate the lands vested in them from the other parts of the vicarage lands by a stone wall; and to make a reservoir of water, &c. and in case of any overflow, to divert the waters into the Loyne, &c. Occupiers of the vicarage lands impowered to take sand along the Summer-Pasture, and to drive their cat- tle to and from water. The ways to be appointed by the trustees, or on their neglect, by the vicar. The vicar to have the herbage until the divi- sion wall be built. No way, &c. to be made through the wall, without consent of the vicar. Commissioners appointed to execute this act to May, 1755. Upon the death of any commissioner another to be elected. Mer- chants, &c. to meet every third year, and nominate 16 inhabitants to be joint commissioners, who are impowered to build a quay, &c. and to let the same; and to erect piers at the mouth of the river, &c. Duties granted on vessels coming into or going out of the port for the term of 21 years. No vessel to pay inwards and outwards for the same voyage. One moiety of the duties only to cease after 21 years. No vessel to be cleared at the custom-house without a certificate of payment of the duties. Commissioners impowered to make by-laws, &c. and to contract for the works; and to borrow 2000l. on the duties. Collectors books of receipts and payments, to be produced at the quarter sessions. Commissioners to appoint collectors, and to allow them not exceeding 1s. in the pound. Commissioners to meet twice in the year, and audite all accounts, and may remove collectors, &c. Commissioners to appoint a person who shall order the mooring, &c. of ships. Twenty shillings penalty on throwing rubbish, &c. into the river.

SCHEDULE of the duties.

FOR every ship coming in or going out of the port of Lancaster, and trading to or from any place in Europe, within the Streights; or in Africa, America, or Greenland, 1s. per ton.

For every ship trading to or from any foreign port in Europe, 8d. per ton.

For every ship trading to or from any place in Great Britain south of Holly Head, or north of the Mull of Galloway, 6d. per ton.

For every ship trading to or from any place in Ireland, or the Isle of Man, 4d. per ton.

For every ship trading to or from any place in Great Britain north of Holly Head, or south of the Mull of Galloway, 2d. per ton.

And

And for every ſhip coming in ballaſt into the river Loyne, and not lading, or unlading, for every ton one fourth part of the duties.

CAP. XIII.

An act for the effectual puniſhing of perſons convicted of ſeducing artiſcers in the manufactures of Great Britain or Ireland, out of the dominions of the crown of Great Britain; and to prevent the exportation of utenſils made uſe of in the woollen and ſilk manufactures from Great Britain or Ireland, into foreign parts; and for the more eaſy and ſpeedy determination of appeals, allowed in certain caſes, by an act made in the laſt ſeſſion of parliament, relating to perſons employed in the ſeveral manufactures therein mentioned.

5 Geo. 1. c. 27.

WHEREAS by an act made in the fifth year of the reign of his late majeſty King George the Firſt, intituled, An act to prevent the inconveniencies ariſing from ſeducing artiſcers in the manufactures of Great Britain, into foreign parts; it is amongſt other things enacted, That if any perſon or perſons ſhall contract with, entice, endeavour to perſuade, or ſolicit any manufacturer or artiſcer of or in wooll, iron, ſteel, braſs, or any other metal, clock-maker, watch-maker, or any other artiſcer or manufacturer of Great Britain, to go out of this kingdom, into any foreign country out of his Majeſty's dominions, and ſhall be lawfully convicted thereof, in the manner preſcribed by the ſaid act; the perſon and perſons ſo convicted, ſhall be fined any ſum not exceeding one hundred pounds for ſuch firſt offence, according to the diſcretion of the court, in which ſuch conviction ſhall be, and ſhall be impriſoned for the ſpace of three months, and until ſuch fine ſhall be paid; and if any perſon or perſons having been once convicted as aforeſaid, ſhall offend again, and be ſo convicted a ſecond time of the like offence, then, and in ſuch caſe, the perſon ſo convicted a ſecond time ſhall be fined at the diſcretion of the court, where ſuch conviction ſhall be, and ſhall be impriſoned for twelve months, and until ſuch fine ſhall be paid: and whereas, notwithstanding the penalties to which offenders againſt the ſaid act are thereby ſubjected, divers wicked and evil diſpoſed perſons have of late ſeduced into foreign parts ſeveral artiſcers in the woollen and other manufactures: and it is therefore become neceſſary to make ſome further and more effectual provision, to deter ſuch perſons from committing the ſaid offences, ſo deſtructive to the trade of this kingdom: therefore for preventing the ſaid pernicious practices for the future, and for explaining, amending, and rendering more effectual the ſaid act, be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That if at any time after the twenty fourth day of June, one thouſand ſeven hundred and fifty, any perſon or perſons ſhall contract with, entice, perſuade, or endeavour to perſuade, ſolicit, or ſeduce any manufacturer, workman, or artiſcer of or in wooll, mohair,

Perſons convicted of ſeducing artiſcers in the manufactures of Great Bri-

hair, cotton, or silk, or of or in any manufactures made up of
wooll, mohair, cotton, or silk, or any of the said materials mix-
ed one with another, or of or in iron, steel, brass, or any other
metal, or any clock-maker, watch-maker, or any other manu-
facturer, workman, or artificer of or in any other of the manu-
factures of *Great Britain or Ireland*, of what nature or kind so-
ever, to go out of this kingdom, or out of the kingdom of *Ire-*
land, into any foreign country, not within the dominions of or
belonging to the crown of *Great Britain*; and shall be lawfully
convicted thereof, upon any indictment or information to be
preferred or brought against him, her, or them, in his Majes-
ty's court of *King's Bench* at *Westminster*, or by indictment at the
assizes or general gaol delivery for the county, riding, or divi-
sion, wherein such offence shall be committed (if such offence
shall be committed in that part of *Great Britain* called *England*)
or by indictment in the court of judicary, or any of the circuit
courts in *Scotland* (if such offence shall be committed in that
part of *Great Britain* called *Scotland*) or by indictment or infor-
mation in his Majesty's court of *King's Bench* at *Dublin* (if such
offence shall be committed in *Ireland*) the person or persons so
convicted, shall, for every artificer, workman, or manufacturer,
so by him, her, or them, respectively contracted with, enticed,
persuaded, solicited, or seduced, severally forfeit the sum of five
hundred pounds of lawful money of *Great Britain*; and shall
also suffer imprisonment in the common gaol of the county, rid-
ing, division, shire, or stewartry, wherein such offender or offen-
ders shall be respectively convicted, for the space of twelve ca-
lendar months without bail or mainprize, and until such forfei-
ture shall be paid; and in case of a further conviction, in man-
ner before prescribed by this act, for or upon a second or other
subsequent offence of the same kind, the person or persons so
again offending, shall, upon every second or other subsequent
conviction, severally forfeit for every person so by him, her, or
them respectively contracted with, enticed, persuaded, solicited,
or seduced, the sum of one thousand pounds of lawful money of
Great Britain; and shall also suffer imprisonment in the com-
mon gaol of the county, riding, division, shire, or stewartry,
wherein such offender or offenders shall be respectively convict-
ed, for the space of two years, without bail or mainprize, and
until such forfeiture shall be paid; any thing in the said in part
recited act of the fifth year of his said late Majesty's reign to the
contrary notwithstanding.

to forfeit 500l.
and to be im-
prisoned for 12
months.

and for a se-
cond offence
to forfeit
1000l.

prisoned for 2
years.

II. Provided nevertheless, That no person shall be prosecuted
for any of the offences aforesaid, unless such prosecution shall be
commenced within the space of twelve calendar months next af-
ter such offence shall be committed.

Prosecution to
be commenc-
ed within 12

III. And whereas the exportation of the several tools or utensils
made use of in preparing, working up, and finishing the woollen and
silk manufactures, or any or either of them, will enable foreigners to
work up such manufactures, and thereby greatly diminish the exporta-
tion of the same from this kingdom: therefore, for preserving as
much

Persons ex-
porting uten-
sils of the wool-
len and silk
manufactures.

much as possible to his Majesty's *British* subjects, the benefits arising from those great and valuable branches of trade and commerce; be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, if any person or persons in *Great Britain* or *Ireland*, shall, upon any pretence whatsoever, load or put on board, or cause to be laden or put on board of any ship, vessel or boat which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, or to some other of the dominions of the crown of *Great Britain*, any such tools or utensils as are commonly used in, or are proper for the preparing, working up, or finishing of the woollen or silk manufactures, or any or either of them, or any parts or parcels of such tools or utensils, by what name or names such tools or utensils shall or may be called or known, the person or persons so offending, shall for every such offence, not only forfeit and lose all such tools and utensils, or parts or parcels thereof, which shall be so laden or put on board as aforesaid, but also the sum of two hundred pounds of lawful money of *Great Britain*, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of session in *Scotland*, or in any of the four courts at *Dublin* respectively, wherein no essoin, protection, privilege, or wager of law shall be allowed, or more than one imparlance.

shall forfeit
the tools and
wool.

Officers of the
customs im-
powered to
seize tools
found on
board ships
bound to fo-
reign parts;

IV. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, it shall and may be lawful to and for any officer of his Majesty's customs in *Great Britain*, and for any officer of the revenue in *Ireland*, to seize and secure in some or one of his Majesty's warehouses, all such tools or utensils by this act prohibited to be exported, as such officer shall find or discover to be laid or put on board of any ship, vessel, or boat, which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, or to some other of the dominions of the crown of *Great Britain*, and that every officer who shall seize and secure any of the said tools or utensils, shall be fully and absolutely indemnified for so doing; and all tools or utensils so seized and secured as aforesaid, shall, after condemnation thereof, in due course of law, be publicly sold to the best bidder, and one moiety of the produce arising by the sale of such tools and utensils, shall be to the use of his Majesty, his heirs and successors, and the other moiety to the officer who shall seize and secure the same as aforesaid.

to be sold af-
ter condemna-
tion.

Captains of
vessels per-
mitting such
utensils to be
put on board
to forfeit 100l.

V. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, if the captain or master of any ship, vessel, or boat, in *Great Britain* or *Ireland*, shall knowingly permit any of the said tools, or utensils by this act prohibited to be exported as aforesaid, to be put on board his said ship, vessel, or boat, every such captain or master shall, for every such offence, forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for and recovered

in the same manner as the penalties by this act inflicted upon persons exporting the said tools or utensils are to be sued and recovered; and if the said ship, vessel, or boat belongs to his Majesty, his heirs or successors, then the captain or owner thereof shall not only forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for and recovered as aforesaid, but shall also forfeit his employment, and be incapable of any office or employment under his Majesty, his heirs or successors.

Captains of his Majesty's ships to forfeit 100*l.* and to be cashiered.

I. And be it further enacted by the authority aforesaid, that if any customer, comptroller, surveyor, searcher, waiter, or other officer of the customs in *Great Britain*, or any officer of the revenue in *Ireland*, shall take, or knowingly or willingly suffer to be taken, any entry outward, or shall sign any cocket, warrant, or sufferance for the shipping or exporting of any of the said tools or utensils by this act prohibited to be exported, shall knowingly or willingly permit or suffer the same to be so, directly or indirectly, contrary to the true intent and meaning of this act, every such customer, comptroller, surveyor, searcher, waiter, or other officer of the customs in *Great Britain* or officer of the revenue in *Ireland* so offending, shall forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for, and recovered as aforesaid; and shall also forfeit his office, and be incapable of any office or employment under his Majesty, his heirs or successors.

Officer of the custom house, signing cockets, &c. for the exporting such tools.

to forfeit 100*l.* and his employment.

II. And be it further enacted by the authority aforesaid, that one moiety of the respective forfeitures by this act inflicted upon offenders against the same, shall, when recovered, go and be applied to the use of his Majesty, his heirs and successors, and the other moiety to the use of the person or persons who shall sue and prosecute for the same respectively.

One moiety to the King, the other to the prosecutor.

III. And be it further enacted by the authority aforesaid, that if any suit or action shall be commenced against any person for what he shall do in pursuance of this act, such action shall be commenced within six months after the fact committed; the person so sued may file common bail, or enter a common appearance, and plead the general issue, not guilty, and give this act, and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or suffer discontinuance, or if a verdict pass against him, or if, upon demurrer judgment be given against him, the defendant shall recover treble costs.

Limitation of actions.

General issue.

Treble costs.

X. And whereas by an act made in the last session of parliament intitled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of silks, and in the woollen, linen, fustian, cotton, iron, leather, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the said manufactures; and for the better payment of their wages) it is, amongst other things enacted, That if any person convicted of buying, receiving,

22 Geo. 2. c. 27.

receiving, or taking to pawn any of the materials in the said act mentioned, shall think himself or herself aggrieved by the judgment of the justice or justices before whom he or she shall have been convicted, such person shall have liberty to appeal to the justices at the next general or quarter sessions of the peace which shall be held for the county, riding, division, city, liberty, town, or place where such judgment shall have been given; which justices, in the said general or quarter sessions, are to hear and finally determine the matter of the said appeal: but whereas great delays and inconveniencies have arisen and may arise in the bearing and determining of such appeals, inasmuch as no provision is made by the said act in relation to the form or manner in which such convictions shall be drawn up; therefore, for preventing such delays and inconveniencies for the future, be it further enacted by the authority aforesaid, That the justice or justices of the peace before whom any person shall be convicted, in manner prescribed by the said act, of buying, receiving, or taking to pawn any of the materials or wares therein mentioned, shall cause such conviction to be drawn up in the form and words following; (that is to say)

A form of
conviction on
the recited act.

Middlesex, **B**E it remembered, That on the _____ day of _____
to wit, _____ in the _____ year of his Majesty's reign
A. B. was convicted before me [or us] _____ of his
Majesty's justices of the peace for the said county of _____
[or for the _____ riding [or division] of the said
county of _____] or for the city, liberty, or town of
_____ in the said county of _____ (as the case
shall be) of buying, receiving, or taking to pawn (as the
case shall happen to be) _____ (specifying the ma-
terials or wares so bought, received, or taken to
pawn) the property of C. D. of _____ in the county
of _____ and by him [or her] delivered to _____
be manufactured.

Given under my hand and seal [or our hands and seals]
the day and year aforesaid.

Not liable to
be removed by
Certiorari; Which said form and conviction shall not be liable to be remov-
ed by Certiorari into his Majesty's court of King's Bench; and the
said justice or justices before whom such conviction shall be had
shall cause the same, drawn up in the form aforesaid, to be fair-
ly written upon parchment, and transmitted to the next general
and transmitt- or quarter sessions of the peace to be held for the county, riding,
ed to the ses- division, city, town, or liberty, wherein such conviction was
sions. had, to be filed and kept amongst the records of the said
Justices to general or quarter sessions; and in case the person or per-
hear appeals. sons so convicted shall appeal from the judgment of the said
justice or justices to the said general or quarter sessions, the
justices in such general or quarter sessions are hereby required,
upon receiving the said conviction drawn up in the form afore-
said, to proceed to the hearing and determination of the matter
of

of the ſaid appeal, according to the directions of the ſaid act ; any law or uſage to the contrary notwithstanding.

C A P. XIV.

An act for aſſigning a place proper for holding a market in the city of Weſtmiſter, in lieu of the ancient market place called the Round Woolſtaple ; and for regulating the ſaid market.

WHEREAS the market for the city of Weſtmiſter, hath, from ancient times, been held from or under the dean and chapter of the collegiate church of Saint Peter, Weſtmiſter, by their leſſee, of the office of keeper and ſweeper of the ſaid market, in a place called the Round Woolſtaple, in the pariſh of Saint Margaret, in the ſaid city of Weſtmiſter ; which market place hath been lately purchaſed by the commiſſioners conſtituted and appointed by divers ſtatutes for building a bridge croſs the river Thames, from the Woolſtaple, or thereabouts, in the pariſh of Saint Margaret, Weſtmiſter, to the oppoſite ſhore in the county of Surry, for the ſum of eight hundred and forty pounds ; and the ſaid ground hath been converted by the ſaid commiſſioners to the publick uſe of widening the ſtreets leading to and from the ſaid bridge, according to the directions of the ſaid ſtatutes : and whereas it is neceſſary for the accommodation of the inhabitants of the ſaid city of Weſtmiſter, that the ſaid market ſhould be held in ſome other convenient place ; and the moſt convenient place for that purpoſe is within the bounds and limits hereafter deſcribed ; that is to ſay, between the place called the Broad Sanctuary, in the pariſh of Saint Margaret in the ſaid city of Weſtmiſter, and Bow Street in the ſaid pariſh : and whereas the ground and ſoil within the ſaid limits, or the greateſt part thereof, is the freehold of the ſaid dean and chapter, and by them leaſed out for terms of years to their tenants ; and that the ſaid dean and chapter would be willing and deſirous, for the accommodation of the inhabitants of the ſaid city, that the ſaid ſum of eight hundred and forty pounds ſhould be applied in buying in ſuch leaſes or terms of years as are out-ſtanding, and in purchaſing ſuch other eſtates as might be neceſſary for holding the ſaid market within the ſaid limits, in caſe ſuch application of the ſaid money was not reſtrained by the ſaid acts of parliament made for the building of the ſaid bridge, whereby the ſaid money is directed to be laid out in the purchaſe of eſtates in fee ſimple : and whereas other difficulties may ariſe in the purchaſe of ſuch ground as may be neceſſary for holding the ſaid market, within the limits aforeſaid, by reaſon of legal diſabilities which the owners or occupiers of ſuch ground may be under to diſpoſe of the ſame to the ſaid dean and chapter for the purpoſes aforeſaid ; which difficulties cannot be removed but by authority of parliament ; be it therefore enacted, &c.

The commiſſioners may extend the limits of the new market within the open ſpace of the Broad Sanctuary, ſo far as a line from the gateway of Green's Alley, to the front of the houſe on the eaſt of the way from the Broad Sanctuary into the Little Sanctuary, will admit. The commiſſioners are to ſet out the ground ; and the dean and chapter to purchaſe the ſame ; and to have the right of holding the market, and the rents and profits

sits thereof. No provisions to be sold within 100 feet of the bounds of the market, without licence, under penalty of 5l. Justices may mitigate the penalties. Persons aggrieved may appeal to the quarter sessions. Proceedings not to be removed by Certiorari. If any person refuse to treat, the commissioners are to issue out a warrant to the high bailiff to return a jury, to view the places in question, and to assess upon oath the recompence. Commissioners to give judgement thereon. 30 days notice to be given to the parties interested, before such assisment. The verdicts, &c. to be entered in the register's office of the county of Middlesex, &c. Upon payment or tender of the purchase-money, the dean and chapter may enter on the premises, and convert the same into a market. No leases to be for less than the rents heretofore paid for the market in the Round Woolſtiple, &c.

CAP. XV.

An act for taking down several buildings, and enlarging the streets and market places in the city of Gloucester.

WHEREAS the trade and inhabitants of the city of Gloucester have of late years greatly increased: and whereas, in the four chief streets of the said city, commonly called Eastgate Street, Westgate Street, Northgate Street, and Southgate Street, and where the markets are usually kept, there are several old houses or tenements, stalls, and buildings, some of which stand in the middle of the said streets, and the rest of them jet out, project, and are extending irregularly beyond the range or sides of the said streets, towards the middle thereof respectively; whereby the area of, or places used for the markets of the said town are greatly straitened and confined, and the passage of carriages, horses, cattle, and persons, in and through the same, is very much obstructed, and rendered difficult and dangerous; and whereas by taking down the several houses or tenements, stalls, and buildings aforesaid, the said streets will be greatly opened, and rendered much more commodious for the passage of carriages and foot passengers, and for the holding and keeping the fairs and markets; and carrying on the trade and business of the said city; and the owners of such houses or tenements, stalls, and buildings, or the greatest part of them, are willing to sell and dispose of the same, in order that they may be taken down for the purposes aforesaid: but as several of the said houses or tenements, stalls, and buildings, and the site and soil of the same respectively, belong to, and are the estates and property of ecclesiastical and other incorporated bodies, femes covert, infants, and others. who by law are disabled to make an absolute sale and conveyance thereof in fee-simple, the same cannot be applied and disposed of for the purposes aforesaid without the aid and authority of parliament; May it therefore please your Majesty, that it may be enacted, &c.

Commissioners impowered to contract for the purchase of such houses and grounds as are described in the schedule. Persons interested, impowered to make sale thereof. If any refuse to treat, or if the same be the property of infants not having guardians, the commissioners are to issue warrants to the sheriff, to return a jury, who shall inquire upon oath into the damages and recompence, and their verdicts to be binding to all parties. 3 days notice to be given of the commissioners and jury's meeting. The purchase-money of the estates of infants and femes covert, &c. to be paid to the mayor and burgesses of Gloucester. Upon payment or tender of the purchase-money, the commissioners may cause the buildings to be taken down, and the ground to be used as a highway. The purchase money of

of the estates of infants and femes covert, to be laid out in other purchases to the same uses; and till purchases can be made, the money is to be put out to interest, &c.

CAP. XVI.

An act for granting to his Majesty the sum of one million, to be raised by annuities at three pounds per Centum per Annum, and charged on the sinking fund, transferrable at the bank of England.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty, in the easiest manner we are able for the benefit of your subjects, have freely and voluntarily given and granted, and by this act do give and grant unto your Majesty the sum of one million, to be raised in such manner and form as is herein after directed; and to that end do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the annuities which by this act shall be granted and made payable in respect of the said principal sum of one million, until redemption thereof by parliament, in manner herein after-mentioned, shall, from and after the feast day of the annunciation of the Blessed Virgin *Mary*, which shall be in the year of our Lord one thousand seven hundred and fifty, be charged and chargeable upon, and payable out of the monies which, from and after the said feast day, shall, from time to time, arise and be remaining in the receipt of his Majesty's exchequer, of or for the surplusses, excesses, or overplus monies of the fund, commonly called the *sinking fund*; and the said surplusses, excesses, or overplus monies are hereby appropriated for that purpose accordingly.

The sum of
1,000,000l.
granted to his
Majesty.

The annuities
payable in re-
spect thereof
to be charged
on the sinking
fund.

II. And for or towards raising the said sum or sums of money, not exceeding in the whole the said sum of one million, or the purposes aforesaid, be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to contribute, advance, and pay to the first or chief cashier or officers of the governor and company of the bank of *England* or the time being, at or before the respective days and times by his act limited in that behalf, any sum or sums of money, not exceeding in the whole the said sum of one million, for the purchase of any annuity or annuities, to commence from the said day of the annunciation of the blessed Virgin *Mary*, in the said year one thousand seven hundred and fifty, and to be paid and payable to such contributor or contributors, or such as he, she, or they shall nominate, his, her, or their executors, administrators, successors, or assigns respectively, until the same shall

Natives or foreigners may contribute to the said sum of 1,000,000l.

for the purchase of annuities.

Cashier of the
bank to give
security.

Annuities to
be at 3 per
cent.

Times of pay-
ment of the
contribution
money.

Annuities not
to exceed
30,000*l.* and
to commence
25 March,
1750, and to
be paid half-
yearly.

Cashier to give
contributors
receipts,

which shall be
assignable;

be redeemed according to the tenor or true meaning of the proviso or condition herein after-mentioned in that behalf; so as such cashier or cashiers do first give security to the good liking of any three or more of the commissioners of his Majesty's treasury now being, or of the high treasurer, or commissioners of the treasury for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, the money so to be advanced or contributed, and to account duly for the same; which annuities before-mentioned shall be computed at the rate of three pounds *per centum per annum* for every one hundred pounds, and proportionably for any greater sum so to be advanced or paid; and the purchase money for every such annuity, at the rate aforesaid, is hereby appointed to be paid to the said cashier or cashiers, as aforesaid, at or before the respective days or times herein after limited; that is to say, ten pounds *per centum*, part thereof, on or before the twentieth day of *April*, which shall be in the year of our Lord one thousand seven hundred and fifty; fifteen pounds *per centum*, other part thereof, on or before the twentieth day of *June* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the eighteenth day of *August* then next ensuing; twenty five pounds *per centum*, other part thereof on or before the eighteenth day of *October* then next ensuing; and the remaining twenty five pounds *per centum*, on or before the eighteenth day of *December* then next following: all which annuities so to be purchased, shall not exceed in the whole the sum of thirty thousand pounds *per annum*, and shall commence from the feast day of the annunciation of the blessed Virgin *Mary*, which shall be in the year of our Lord one thousand seven hundred and fifty, and shall be paid and payable in the manner, and at the respective feast days herein after-mentioned; that is to say, the first payment thereupon shall be made for the three quarters of a year, which will be due thereupon, computed from the feast of the annunciation of the blessed Virgin *Mary*, in the year one thousand seven hundred and fifty, to the feast of the birth of our Lord Christ then next ensuing, and the subsequent payments half-yearly, at the feasts of the nativity of *Saint John the Baptist*, and the birth of our Lord Christ, or within six days after every of the said feast days; and that the first of the said half-yearly payments shall be paid at the feast of *Saint John the Baptist*, which shall be in the year of our Lord one thousand seven hundred and fifty one, or within six days after the said feast day; nevertheless the said annuities shall be redeemable according to the purport and true meaning of a proviso or condition herein after contained in that behalf, and not otherwise: and the said cashier or cashiers of the said governor and company for the time being, is hereby authorized and required, upon the advancing and paying to him or them any sum or sums of money, as aforesaid, forthwith to give a receipt in writing signed by himself or themselves, for each payment, to the contributor or payer thereof; which receipts shall be assignable by indorsement thereupon made, at any time before the eighteenth day of *December*, one thousand seven hundred

hundred and fifty, and no longer: and the said cashier or cashiers shall, from time to time pay into the receipt of his Majesty's exchequer all the monies which he or they shall receive of or for the said sum, not exceeding one million, as fast as he or they shall receive the same, or any part thereof, or within five days at the farthest; and to account for all the monies so to be advanced and paid to him or them in his Majesty's court of exchequer, according to the due course thereof.

and to pay the monies into the exchequer.

III. And it is hereby enacted, That in the office of the accountant general of the governor and company of the bank of England for the time being, there shall be provided and kept a book or books, in which there shall be fairly entered the names of all who shall be contributors for such annuities after the rate of three pounds *per centum per annum*, as aforesaid, and of all persons by whose hands the said contributors shall pay in any of the said sums upon this act, and also the sum so paid; to which book or books, it shall be lawful for the said respective contributors, their executors, administrators, successors, and assigns, from time to time, to have resort at all reasonable times, and to inspect the same without fee or charge; and the said accountant general for the time being, shall, on or before the twenty fifth day of *March*, which shall be in the year of our Lord one thousand seven hundred and fifty two, transmit an attested duplicate, fairly written on paper, of the said book or books, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

Contributors names to be entered in a book, with the sums paid;

which may be inspected gratis.

Duplicate to be transmitted to the exchequer.

IV. And it is hereby enacted by the authority aforesaid, That all and every contributor and contributors upon this act, duly paying the consideration or purchase-money at the rate aforesaid, at or before the respective days or times in this act before limited in that behalf, for such annuity or annuities as aforesaid, or such as he, she, or they shall appoint, his, her, or their respective executors, administrators, successors or assigns, shall have, receive, and enjoy, and be intitled by virtue of this act, to have, receive, and enjoy the respective annuity and annuities so to be purchased out of the monies by this act appropriated or appointed for payment thereof as aforesaid, and shall have good and sure estates and interests therein for ever, subject only to the proviso or condition of redemption, in this act afterwards contained, concerning the same; and that all the said annuities to be purchased on this act, and the principal monies paid for the same, and every of them, during the continuance thereof, shall be free from all taxes, charges, and impositions whatsoever.

Contributors paying the purchase money to be intitled to the annuities;

which shall be free of taxes.

V. Provided always, That in case any contributor or contributors, for the purchase of any of the said annuities, shall after payment of ten pounds *per centum*, in part of his, her, or their purchase money, desire that the subsequent payments, to be made by him, her, or them, at the respective times limited in that behalf, may immediately be made stock in the book or books to be kept for that purpose, in the office of the said accountant general, and that the principal money, and the an-

Accountant general to give credit to the contributors for the principal sums paid.

nunity attending the same, be immediately transferrable (except the ten pounds *per centum*, which is to remain as a deposit till payment of the whole sum by him, her, or them subscribed for, is fully completed) it shall be lawful for the said accomptant general, and he is hereby required upon such request made by any such contributor or contr. butors, to give credit in the said book or books, for each respective principal sum, by him, her, or them subscribed and paid as aforesaid; any thing herein contained to the contrary notwithstanding.

Bank to employ a chief cashier and accomptant general, for payment of the annuities;

VI. And for the more easy and sure payment of the said annuities to be purchased as aforesaid, according to the true meaning of this present act; it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall from time to time, until the said annuities shall be redeemed by parliament according to this act, appoint and employ one sufficient person within their office in the city of *London*, to be their chief or first cashier or cashiers, and one other sufficient person within the same office, to be their accomptant general; and that so much of the monies of the said surplusses, excesses, or overplus monies of the fund, commonly called the *Sinking fund*, which shall or ought to be, from time to time, separated and set apart in the said receipt of exchequer, for answering the said annuities to be purchased upon this act, after the said rate of three pounds *per centum per annum*, shall by order of the commissioners of his Majesty's treasury, or any three or more of them now being, or of the high treasurer, or commissioners of the treasury of his Majesty, his heirs and successors for the time being, without any further or other warrant to be sued for, had, or obtained in that behalf, be, from time to time, half-yearly as aforesaid, issued and paid at the said receipt of exchequer, to the said first or chief cashier or cashiers of the said governor and company of the bank of *England*, and of their successors for the time being, by way of imprest, and upon account of the payment of the said annuities so purchased upon this act, at such times, and in such manner and form, as are by this act prescribed in that behalf; and that all and every cashier and cashiers, to whom the said monies shall, from time to time be issued, shall from time to time, without delay, apply and pay the same accordingly, and render his accounts thereof, according to the due course of the exchequer; any thing herein contained to the contrary notwithstanding.

and the monies to be paid to them half-yearly at the exchequer, by way of imprest, &c.

Accomptant general to inspect the cashiers receipts and payments.

Annuities to be a personal estate.

VII. And it is hereby also enacted, That the said accomptant general for the time being shall, from time to time, inspect and examine all the receipts and payments of the said cashier or cashiers, and the vouchers relating thereunto, in order to prevent any fraud, negligence, or delay; and that all and every person and persons whatsoever, who shall be intitled to any of the said annuities. after the rate of three pounds *per centum per annum*, and all persons lawfully claiming under them, shall be possessed thereof, as of a personal estate, and the same shall not be descendable to the heir, and shall not be liable to any foreign attach-

attachment by the cuſtom of *London*, or otherwiſe; any law, ſta-
ute, or cuſtom to the contrary notwithstanding.

VIII. And be it further enacted by the authority aforeſaid, That all the monies to be advanced or contributed upon this act, for or towards the ſaid ſum not exceeding one million, ſhall be deemed, reputed, and taken to be one capital or joint ſtock, in which the ſaid annuities, after the rate of three pounds *per centum per annum*, ſhall be attending; and that all and every perſon and perſons, and corporations whatſoever, in proportion to the money which he, ſhe, or they ſhall be intitled to, as aforeſaid, ſhall have, and be deemed to have a proportional intereſt and ſhare in the ſaid ſtock, and in the annuity attending the ſame, at the rate aforeſaid; and that the ſaid whole capital or joint ſtock, or any ſhare or intereſt therein, and the proportional annuity attending the ſame, ſhall be assignable and transferrable as this act directs, and not otherwiſe; and that there ſhall conſtantly be kept at all ſeaſonable times in the office of the ſaid accomptant general for the time being, within the city of *London*, a book or books, wherein all assignments or transfers of the ſaid whole capital or joint ſtock, or any part thereof, and the proportional annuity attending the ſame, at the rate aforeſaid, ſhall be entered and regiſtered; which entries ſhall be conceived in proper words for that purpoſe, and ſhall be ſigned by the parties making ſuch assignments or transfers, or if ſuch party be abſent, by his, her, or their attorney or attorneys, thereunto lawfully authorized by writing, under his, her, or their hands and ſeals, to be atteſted by two or more credible witneſſes; and that the perſon or perſons to whom ſuch transfer ſhall be made, do underwrite his, her, or their acceptance thereof; and that no other method of assigning or transferring the ſaid ſtock, and the annuities attending the ſame, or any part thereof, or any intereſt therein, ſhall be good and available in law; and that no ſtamp duties whatſoever, ſhall be charged on the ſaid transfers, or any of them; any other law or ſtatute to the contrary notwithstanding.

The monies contributed to be deemed a joint ſtock,

which may be transferred.

Method of transferring,

without ſtamps.

IX. And it is hereby enacted and declared, That no perſon or perſons whatſoever ſhall or may purchaſe or obtain, or be admitted to purchaſe or obtain, any of the annuities at the rate aforeſaid, upon this act, unleſs the whole, or ten pounds *per centum*, part at leaſt of the conſideration money for the ſame, at ſuch rate as aforeſaid, be advanced and paid to the ſaid caſhier, on or before the twentieth of *April*, one thouſand ſeven hundred and fifty.

No annuities to be obtained, unleſs 10l. per cent. be paid before 10. April, 1750.

X. Provided alſo, That in caſe any ſuch contributor as aforeſaid, who ſhall, on or before the ſaid twentieth day of *April*, one thouſand ſeven hundred and fifty, have advanced to the ſaid caſhier or caſhiers, ten pounds *per centum*, in part of his, her, or their purchaſe money, or his, her, or their executors, adminiſtrators, ſucceſſors, or assigns, do not advance and pay to the ſaid caſhier or caſhiers, fifteen pounds *per centum*, in further part of his, her, or their conſideration money, ſo to be paid for ſuch

Perſons not paying the whole purchaſe money at the times limited,

such respective annuity or annuities as aforesaid, on or before the twentieth day of *June*, then next ensuing; and twenty five pounds *per centum*, in further part thereof, on or before the eighteenth day of *August*, then next ensuing; and twenty five pounds *per centum*, in further part thereof, on or before the eighteenth day of *October*, then next ensuing; and the remaining twenty five pounds *per centum*, on or before the eighteenth day of *December*, then next following; then, and in every such case respectively, so much of the consideration money as shall have been actually paid for the first payment to the said cashier or cashiers, for such respective annuity, shall be forfeited for the benefit of the publick, and no interest, at the rate aforesaid, shall be payable for the said first payment; any thing in this act contained to the contrary notwithstanding.

The bank to continue a corporation till the annuities are redeemed.

XI. Provided always, and it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors (notwithstanding the redemption of all or any of their own funds in pursuance of the acts for establishing the same, or any of them) shall continue a corporation, with all the powers, privileges, and advantages thereunto belonging, for the purposes in this act expressed, till all the annuities to be purchased on this act, shall be redeemed by parliament, according to the proviso herein after contained in that behalf; and that the said governor and company or any members thereof, shall not incur any disability, for or by reason of their doing any matter or thing in pursuance of this act.

No fee to be taken, &c.

XII. And it is hereby enacted by the authority aforesaid, That no fee or gratuity whatsoever shall or may be demanded or taken of any of his Majesty's subjects for receiving or paying the said contribution monies, or any of them, or for any tallies, or other receipts concerning the same, or for issuing the said yearly fund, or any part thereof, or for paying the said annuities, or any of them; and that no fee or gratuity shall be demanded or taken for any transfer of any sum great or small, to be made in pursuance of this act, upon pain that the officer or person offending, by taking or demanding any fee or gratuity contrary to this act, shall forfeit the sum of twenty pounds to the party grieved, to be recovered with full costs of suit, in any of his Majesty's courts of record at *Westminster*.

upon penalty of 20 l.

Treasury to defray charges, &c.

XIII. Provided always, and it is hereby enacted, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized to reward all such persons as shall be any ways employed in the execution of this act, for their service, pains, and labour, and also to defray such incident charges as shall necessarily attend the same, out of the said surplusses, excesses, or overplus monies; and also to appoint such allowances (out of the said surplusses, excesses, or overplus monies) for the service, pains, and labour of the cashier or cashiers of the said governor and company of the bank of *England*,

England, for receiving, paying, and accounting for the ſaid annuities made payable by this act; and alſo for the ſervice, pains, and trouble of the accomptant general of the ſaid governor and company for performing the duty and truſt incumbent on him by this act, as they ſhall think juſt and reaſonable: all which allowances hereby impowered to be made as aforeſaid, in reſpect of the ſervice, pains, and labour of any officer or officers of the ſaid governor and company of the bank of *England*, ſhall be for the uſe and benefit of the ſaid governor and company, and at their diſpoſal only; any thing herein contained to the contrary notwithstanding.

XIV. Provided alſo, and it is hereby enacted by the authority aforeſaid, That at any time, upon one year's notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by authority of parliament, at any of the half-yearly feaſt days for payment of the ſaid annuities, and upon repayment by parliament of the principal ſum of one million, by payments not being leſs than five hundred thouſand pounds at a time, for which the ſaid annuities ſhall be payable to ſuch reſpective perſons or corporations as ſhall be intitled to the ſame annuities; and alſo upon full payment of all arrearages of the ſame annuities; then, and not till then, the ſaid annuities ſhall ceaſe and determine, and be underſtood to be redeemed; and from and after ſuch redemption, the monies ariſing by the ſaid ſurpluſſes, exceſſes, or overplus monies of the fund, commonly called the *Sinking fund*, ſhall not be iſſued or applied to any uſe or purpoſe, other than ſuch uſes and purpoſes as have been directed by any former act or acts of parliament in that behalf; any thing in this or any former act or acts of parliament to the contrary notwithstanding: and that any vote or reſolution of the houſe of commons, ſignified by the ſpeaker in writing, to be inſerted in the *London Gazette*, and affixed on the *Royal Exchange* in *London*, as aforeſaid, ſhall be deemed and adjudged to be ſufficient notice within the words and meaning of this act.

CAP. XVII.

An act for repairing the roads leading from Dunglas Bridge to the town of Haddingtoun; and from thence to Ravenſhaughburn in the county of Haddingtoun.

Certain tolls granted for 21 years, &c.

CAP. XVIII.

An act for enlightening the open places, ſtreets, lanes, paſſages, and courts; and for the better regulating the nightly watch within the pariſh of Saint John Southwark in the county of Surrey.

WHEREAS the pariſh of Saint John in the borough of Southwark in the county of Surrey, is ſituate between London Bridge and his Majeſty's dock yard and victualling office at Deptford, and alſo the Eaſt India warehouse at Rotherhithe; and where-

as by virtue of an act made and passed in the last session of parliament, (intituled, An act for opening and making a new road from the east end of Newstreet in the parish of Saint John Southwark, to and through the several places therein mentioned; and for keeping the said road in repair for the future) a new road is now opened through the parishes of Saint Mary Magdalen Bermondsey, Saint Mary Rotherhithe, and Saint Nicholas and Saint Paul Deptford, for the better convenience of his Majesty's subjects in passing and repassing to and from London Bridge, and the places before-mentioned: and whereas the access to such new road, through the said parish of Saint John, is now very dangerous in the night-time, for want of proper lights, and a well regulated watch: and whereas a proper provision for that purpose would not only be a great security to the persons and properties of all his Majesty's subjects, passing and repassing to and from Deptford Dock and the other places aforesaid, in the night-time; but also would be a great safeguard against fires that might destroy great quantities of naval stores always repositied in warehouses on the banks of the river Thames in those parts; and would be of the utmost use in case of accidents by fire amongst the shipping in the river Thames; in both which cases great numbers of the most experienced artificers and tradesmen, residing in those parts, could be more capable of affording their assistance when required, upon emergencies in the night-time; but forasmuch as a proper provision cannot be made for setting up proper lights, and establishing a well regulated watch, for the good purposes aforesaid, by the laws now in being; may it please your Majesty, at the humble request of several merchants and traders of the city of London, and masters and owners of ships, and also of the minister, churchwardens, and other principal inhabitants of the said parish of Saint John Southwark, that it may be enacted, &c.

The vestry to appoint the number and sort of lamps; and a number of watchmen, and a bedel; and their several duties and wages, and make regulations for enlightening the streets, and elect a committee. The constables, bedels, and watchmens times of duty; and power of apprehending night-walkers, and other suspected persons. Vestry impowered to make a pound rate on the inhabitants; to be confirmed by two justices, and collected half yearly. Collectors refusing to act, to forfeit 10l. and others to be appointed, &c. The parish church, and other publick buildings, and persons, to be rated. Assessments not to exceed 10 d. in the pound. Persons aggrieved may appeal to the quarter sessions. Persons paying to these rates, &c. not to gain any settlement thereby. Vestry may borrow money upon the credit of the rates; not exceeding 200l. Forty shillings penalty of breaking or extinguishing lamps, &c. The lamps vested in the churchwardens, &c. Two justices to hear and determine differences, Justices may mitigate the penalties to one moiety.

CAP. XIX.

An act for making more effectual several acts of parliament passed for cleansing and making navigable the channel from the Hithe at Colchester to Wivenhoe in the county of Essex; and for repairing and cleansing the streets and lanes of the town of Colchester.

WHEREAS by an act of parliament passed in the ninth and ^{9 & 10 W. 3.} tenth years of the reign of his late majesty King William the c. 19. Third, intituled, An act for cleansing and making navigable the channel from the Hithe at Colchester to Wivenhoe, several duties were granted and made payable, for goods, wares, and merchandizes, that should be brought in and to the said channel, and should be landed at, or shipped from Wivenhoe or the New Hithe in Colchester aforesaid, or between either of the said places, for the term of twenty one years, for the uses and purposes in the said act mentioned; and several powers were thereby given unto and vested in the mayor, aldermen, assistants, and common council of the town and borough of Colchester only, for appointing collectors and general receivers of the said duties, and for recovering and getting in the same, in such manner as in the said act is particularly mentioned; which said act, and all the powers and authorities thereby given, and one moiety or half-part of the duties thereby granted and made payable (except upon corn and grain) were, by another act passed in the fifth year of the reign of his late majesty King George the First, continued in force until the first day of May, one thousand seven hundred and forty; and further power was thereby given to the said mayor and commonalty of Colchester only, for recovering the same duties: and whereas by another act passed in the thirteenth year of the reign of his present Majesty, intituled, An act for further enlarging the term granted ^{13 Geo. 2. c. 30.} by an act passed the ninth and tenth years of the reign of King William the Third, For cleansing and making navigable the channel from the Hithe at Colchester to Wivenhoe; and for making the said act, and another act of the fifth year of the reign of his late majesty King George the First, For enlarging the term granted by the said act of the ninth and tenth years of the reign of King William the Third, more effectual; it is enacted, That the said two former acts, and all and every the powers and authorities thereby respectively given, together with such additional powers, as are in the said act of the thirteenth year of his present Majesty mentioned, should be continued, and be in force from the first day of May, one thousand seven hundred and forty, for ever; and that the duty on sea coal should, from and after the said first day of May, one thousand seven hundred and forty, be three pence a chaldron, and no more; which duty was, by the said act of the thirteenth of his present Majesty, continued and made payable, from the said first day of May, one thousand seven hundred and forty, for and during the term of forty years; and by the said act it was declared, That no other duty (except the arrears due under the said former acts, or either of them) should be raised upon any other goods, wares, merchandizes, or things
whatsoever;

whatſoever; which ſaid duty of three pence for every chaldron of ſea coals, granted as aforeſaid, and the duties which were or ſhould be in arrears under the ſaid former acts, ſhould and might be raiſed, levied, and recovered, in ſuch manner as preſcribed by the ſaid former acts; and the ſaid mayor and commonalty of Colcheſter only were by the laſt-mentioned act veſted with further power for ſuing for, and recovering the ſaid duty thereby granted, and the arrears under the ſaid former acts: and whereas a very large lock, which was ſeveral years ſince erected in the ſaid channel, and has been found to be of very great uſe and ſervice to the navigation, is now in a decaying condition, and much out of repair; and the ſaid channel, in ſome parts thereof, is become much choaked up, ſo that the navigation thereof is greatly obſtruded; which has been occaſioned principally by the bringing great arrears of the duties granted by the ſaid recited acts for many years due, and ſtill unpaid; and alſo a large ſum of money remaining in the hands of the representatives of the late receiver general of the ſaid duties, which ought to have been recovered, and applied for amending and repairing the ſaid lock, and cleaning and ſupporting the navigation of the ſaid channel: but, as the power and authority of the mayor and commonalty of Colcheſter hath ceaſed for many years laſt paſt (in whoſe names only the ſaid duties were to be recovered, and legal diſcharges given for the ſame, by and under the authorities of the ſaid ſeveral acts) the ſame duties, and the arrears thereof, cannot now be recovered and collected, for want of ſufficient power to give legal diſcharges for the ſame; and there being no other fund for raiſing money to amend and keep in repair the ſaid lock, and cleanſe the ſaid channel, and preſerve the navigation thereof, the ſame cannot now be done, without ſome further provision be made for that purpoſe by the aid and authority of parliament: may it therefore pleaſe your Maſteſty, that it may be enacted, &c.

The ſeveral parcels of land, locks, and channels, and the ſeveral powers, &c. which were granted to the corporation of Colcheſter, &c. are veſted in the juſtices of the eaſt diviſion of the county of Eſſex, and the commiſſioners named herein, for the term of 30 years. Additional duty of 3d. a chaldron on coals to be paid for 30 years. Commiſſioners may borrow money, and aſſign over the duties as a ſecurity. Six days notice to be given of the time of meeting for borrowing money. Commiſſioners may place out in the funds, any money that ſhall be in the receiver general's hands, &c. not immediately neceſſary, &c. and may appoint and remove collectors, and other officers. The preſcriptive rights of the borough of Colcheſter reſerved. Landlords, &c. to pave the ſtreets before their houſes. Surveyors of the highways to view the ſtreets, and ſee that the ſame are paved, and to make returns of ſuch landlords, whoſe pavements ſhall be out of repair; and to give notice for repairing thereof, and may cauſe the ſame to be amended, after 20 days neglect. If the tenant ſhall pay, he may deduct the ſame out of the rent. Juſtices may make preſentments of default in the pavement of the ſtreets. Perſons aggrieved may appeal.

C A P. XX.

An act for encouraging the growth and culture of raw ſilk in his Maſteſty's colonies or plantations in America.

WHEREAS it will greatly tend to the increaſe and improvement of the ſilk manufactures of this kingdom, to encourage the growth and culture of ſilk in his Maſteſty's dominions in America;

ica; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, it shall and may be lawful to import any raw silks of the growth and culture of any of his Majesty's colonies or plantations in *America*, directly from thence into the port of *London*, without paying any subsidy, custom, imposition, or other duty whatsoever for the same; so as a due entry be first made thereof in the custom-house, at the time of importation, in the same manner and form (expressing the package, marks, and numbers, together with the quantities and qualities of the respective goods) as was used and practised before the making of this act; and so as the same be landed in the presence of, and examined by the proper officer or officers of the customs appointed for that purpose; and so as the same be imported in ships or vessels, that may lawfully trade to his Majesty's plantations, manned as by law is required; and on failure of the said conditions or directions herein last-mentioned, such silks shall be liable to the payment of the respective duties, as if this act had never been made.

Raw silk of the growth of the British colonies in *America*, to be imported free, so as entry be made,

and the same imported in vessels that may lawfully trade.

II. Provided always, and be it further enacted by the authority aforesaid, That in order to intitle the importer and importers of raw silk, to the exemption intended by this act, every merchant or other person or persons whatsoever, who shall, after the twenty fourth day of *June*, one thousand seven hundred and fifty, load any raw silk on board any ship or vessel, in any of the *British* colonies or plantations in *America*, shall, before the clearing out of the said ship or vessel from thence, make proof, on oath, before the collector and comptroller of the customs, and naval officer, at the port or place where such raw silk shall be put on board, or any two of them, that the raw silk, which he, she, or they hath or have shipped on board the said ship or vessel (expressing the quantity thereof) is *bona fide* of the growth and culture of some or one of the *British* colonies or plantations in *America*, expressing the parish or place in such plantation where the same was cultivated and produced, and by whom, producing such person's oath thereto made before the governor of such island or province, or before the next justice of the peace (which oath the said governor or justice of the peace, collector and comptroller of the customs, and naval officer, or any two of them, are hereby required and impowered to administer without fee or reward) and the master, commander, or other person, taking charge of the ship or vessel, on board which such raw silk shall be loaded, shall also bring with him a certificate or certificates from such collector and comptroller of the customs, and naval officer, or any two of them, as aforesaid, under their hands and seals of office (which certificate or certificates, such collector and comptroller of the customs,

Oath to be made before clearing that the silk is of the growth of the British plantations, &c.

Master to bring a certificate from two officers of the customs,

toms, and naval officer, are hereby required and directed to grant without fee or reward) expreffing the marks, number, tale, and weight of the raw filk, in each bale, parcel, or other package whatfoever, fo shipped or loaded on board fuch fhip or veffel, with the names, place or places of abode of the exporter or exporters thereof, from the faid *Britifh* colonies or plantations in *America*; and the name or names, place or places of abode of fuch other perfon or perfons, who fhall have fworn the goods therein mentioned to have been of the growth and culture of the faid *Britifh* colonies or plantations in *America*; and the name or names of the perfon or perfons to whom the fame are configned in the port of *London*; which certificate or certificates, the faid mafter, commander, or other perfon taking charge of fuch fhip or veffel, fhall, on his arrival in the faid port of *London*, deliver to the collector, comptroller, or other chief officer of his Majefty's customs at the faid port, at or before the entry of the faid raw filk; and at the fame time fhall make oath before any one of them the faid collector, comptroller, or chief officer of his Majefty's customs (who are hereby required and impowered to adminifter the fame without fee or reward) that the faid bales and parcels, and goods contained in fuch certificate, are the fame bales and parcels, and goods, as were taken on board in the faid *Britifh* colonies or plantations in *America*; and if any raw filk of the growth and culture of the *Britifh* colonies or plantations in *America*, fhall, after the faid twenty fourth day of *June*, one thoufand feven hundred and fifty, be imported, as herein before mentioned, without fuch certificate figned and delivered as herein before required, and oath made as before directed, by the mafter, commander, or other perfon taking charge of the fhip or veffel in which the fame is imported; all fuch raw filks fhall be liable to the payment of the refpective duties, as if this act had never been made; any thing herein before contained to the contrary notwithstanding.

III. And be it further enacted by the authority aforefaid, That if any perfon or perfons fhall, from and after the faid twenty fourth day of *June*, one thoufand feven hundred and fifty, make, or caufe to be made, an entry or entries of any foreign raw filk, under the name or description of raw filk of the growth or culture of any of the *Britifh* colonies or plantations in *America*, or fhall mix, or caufe to be mixed, any foreign raw filk with raw filk of the growth or culture of the *Britifh* colonies or plantations in *America*, with intent to evade the payment of the duties payable on foreign raw filk, every perfon, or perfons fo making, or caufing to be made, fuch entry or entries, or mixing, or caufing fuch mixture or mixtures to be made, fhall forfeit and lofe the fum of fifty pounds for every fuch offence, and all fuch foreign raw filk; and in cafe of any mixture, the quantity fo mixed, both of foreign and *Britifh* plantation culture or growth, or the value thereof, together with the bales or other packages containing the fame, fhall be forfeited, and fhall and may be feized and profecuted, or the value thereof be fued for

by

which he is to deliver to the chief officer of the customs on his arrival at London,

and to make oath that the goods in the certificate are the fame taken on board in *America*;

in default thereof, the duty is to be paid for fuch filk.

Penalty on perfons entering foreign raw filk as of the growth of the *Britifh* colonies,

or of mixing other filk therewith, to evade payment of the duties.

by any officer or officers of his Majesty's customs; one moiety of which penalties and forfeitures shall be to the use of his Majesty, his heirs and successors, and the other moiety to him or them that shall seize, prosecute, or sue for the same, in any of his Majesty's courts of record at *Westminster*.

IV. Provided always, That if any doubt or dispute shall arise, whether the said raw silk, or any part thereof, so to be imported as aforesaid, is of the growth or culture of the *British* colonies or plantations in *America*, or of foreign growth or culture, the *Onus Probandi*, shall lie on the owner or claimer thereof, and not on the informer or prosecutor; any law, custom, or usage to the contrary notwithstanding.

In doubts about the growth of the silk, the *Onus Probandi* is to lie on the owner.

V. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants, in such action or suit, may plead the general issue, and give this act, and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by authority of this act; and if it shall appear so to have been done, then the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as defendants have in other cases by law.

General issue. Treble costs.

CAP. XXI.

An act for granting to his Majesty the sum of nine hundred thousand pounds out of the sinking fund, for the service of the year one thousand seven hundred and fifty; and for applying certain surplus monies, remaining in the exchequer, as part of the supply of the said year; and for the application of certain savings in the hands of the paymaster general; and for obviating a doubt in an act of the fifth year of King George the First, in respect to the payment of certain annuities thereby granted for the improvement of fisheries and manufactures in Scotland; and for the further appropriating the supplies granted this session of parliament; and for giving further time for the payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices; and for transferring the bounties now payable upon the exportation of British sail cloth, to the customs; and for enforcing the laws against the clandestine importation of soap, candles, and starch, into this kingdom.

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, for the service of the year one thousand seven hundred and fifty, in the easiest manner we are able, for the benefit of your Majesty's subjects, and also to use such ways and means therein, as that your Majesty may have the better and more speedy effect of the said supplies, have resolved to give and grant unto your Majesty the sum of nine hundred thousand pounds, out of the surplusses, excesses, and overplus monies, commonly called *The Sinking Fund*: and to that end and purpose do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That by or out of such monies as now are, or shall from time to time be and remain in the receipt of the exchequer, of the said surplusses, excesses, or overplus monies, commonly called *The Sinking Fund* (after paying or reserving sufficient to pay all such sum and sums of money as have been directed by any former act or acts of parliament to be paid out of the same) there shall and may be issued, and applied, a sum not exceeding the said sum of nine hundred thousand pounds, for and towards the supply granted to his Majesty for the service of the said year one thousand seven hundred and fifty; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and empowered to issue and apply the same accordingly.

900,000 l. granted out of the sinking fund, towards the supply.

17,553 l. 10s. 10d. surplus of the additional duties on wines imported,

29,856 l. 1s. 11d. halfpenny, surplus of the duties upon houses, and coaches, &c.

71,116 l. 17s. 6d. surplus of the subsidy of poundage on goods imported,

II. And be it further enacted by the authority aforesaid, That the sum of seventeen thousand five hundred and fifty three pounds, ten shillings, and ten pence, now remaining in the receipt of his Majesty's exchequer at *Christmas* last, one thousand seven hundred and forty nine, being the surplus of the additional duties upon all wines imported, over and above sufficient to satisfy the annuities charged thereupon; and the sum of twenty nine thousand eight hundred and fifty six pounds, one shilling, and eleven pence halfpenny, being the surplus monies remaining in the receipt of his Majesty's exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the rates and duties upon houses, windows, and lights, and of the duties on coaches and other carriages, after satisfying all payments due thereupon; and also the sum of seventy one thousand one hundred and sixteen pounds, seventeen shillings, and six pence, being the surplus monies remaining in the receipt of his Majesty's exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the subsidy of poundage on goods and

and merchandizes imported, after fatisfying all payments due thereupon, fhall and may be iflued and applied at the laid receipt, as part of the fupply granted to his Majefty for the fervice of the year one thoufand feven hundred and fifty; any thing in this or any former act or acts of parliament to the contrary thereof in any wife notwithstanding.

III. *And whereas the fum of forty fix thoufand eight hundred and forty nine pounds, eleven fhillings, and ten pence, of monies or favings in the hands of the paymafter general of his Majefty's land forces, arifing from the pay of his Majefty's land forces; as alfo the fum of fixty five thoufand fix hundred and feventy four pounds, eight fhillings, and fix pence, of monies or favings in the hands of the laid paymafter, on the head of forage and provifions voted for the auxiliary troops of Ruffia, and on the fubfides to the Landgrave of Hefle Caffel, elector of Bavaria, and duke of Wolfenbuttle, have been granted to his Majefty in this feffion of parliament, towards defraying the extraordinary expences of his Majefty's land forces, and other fervices, incurred in the year one thoufand feven hundred and forty nine, and not provided for by parliament: which two fums, together with the further fum of fixty five thoufand four hundred and eighty one pounds, four fhillings, and feven pence, granted in this feffion of parliament out of the fupplies for the year one thoufand feven hundred and fifty, amounting in the whole to the fum of one hundred feventy eight thoufand and five pounds, four fhillings, and eleven pence, are to be applied for defraying the laid extraordinary expences of his Majefty's land forces, and other fervices incurred in the year one thoufand feven hundred and forty nine, as aforefaid; be it therefore enacted by the authority aforefaid, That the laid refpective fums of forty fix thoufand eight hundred and forty nine pounds, eleven fhillings, and ten pence, and fixty five thoufand fix hundred and feventy four pounds, eight fhillings, and fix pence, remaining in the hands of the laid paymafter general of his Majefty's land forces, of the monies or favings herein before fpecified, fhall and may be iflued and applied, by any warrant or warrants of his Majefty, under his royal fign manual in that behalf, towards defraying the laid extraordinary expences of his Majefty's land forces, and other fervices, incurred in the laid year one thoufand feven hundred and forty nine, and not provided for by parliament; any thing in this or any former act to the contrary thereof in any wife notwithstanding.*

IV. *And whereas the fum of fifteen thoufand pounds of monies or favings remaining in the hands of the paymafter general of his Majefty's land forces, arifing from the contingencies of the army, have been granted to his Majefty in this feffion of parliament, towards defraying the charge of out penfioners of Chelfea Hofpital, for the year one thoufand feven hundred and fifty; which fum, together with the further fum of forty nine thoufand eight hundred and forty eight pounds, feven fhillings, and fix pence, granted in this feffion of parliament out of the fupplies for the laid year one thoufand feven hundred and fifty, amounting in the whole to the fum of fixty four thoufand eight hundred and forty eight pounds, feven fhillings, and fix*

to be applied
for the fervice
of the year
1750.

46,849 l. 11 s.
10 d. favings
from the pay
of the land
forces,

65,674 l. 8 s.
6 d. favings on
forage, &c.
for the troops
of Ruffia, and
the fubfides
to the Land-
grave of Hefle
Caffel, elector
of Bavaria,
and duke of
Wolfenbuttle,

65,481 l. 4 s.
7 d. granted
for the fervice
of the year
1750.

to be applied
towards the
expences of
the land
forces in
1749.

15,000 l. fav-
ings from the
contingencies
of the army,

49,848 l. 7 s.
6 d. of the
fupplies for
the year
1750.

to be applied
to the out-
pensioners of
Chelsea Hof-
pital.

pence, are to be applied for the defraying the charge of the said out pensioners of Chelsea Hospital for the said year one thousand seven hundred and fifty; be it therefore enacted by the authority aforesaid, That the said respective sums of fifteen thousand pounds, and forty nine thousand eight hundred and forty eight pounds, seven shillings, and six pence, remaining in the hands of the said paymaster general of his Majesty's land forces, of the monies or savings herein before specified, shall and may be issued and applied, by any warrant or warrants of his Majesty under his royal sign manual in that behalf, towards defraying the charge of out pensioners of Chelsea Hospital, for the year one thousand seven hundred and fifty; any thing in this or any former act or acts of parliament to the contrary notwithstanding.

5 Geo. 2. c. 20.

V. And whereas by an act passed in the fifth year of his late Majesty King George the First, intituled, An act for settling certain yearly funds, payable out of the revenue of Scotland, to satisfy publick debts in Scotland, and other uses mentioned in the treaty of union, and to discharge the equivalents claimed on behalf of Scotland, in the terms of the same treaty; and for obviating all future disputes, charges, and expences concerning those equivalents; is was enacted, That the respective yearly funds of ten thousand pounds, and two thousand pounds, made payable thereby on account of the equivalent, and for the encouragement of fisheries and manufactures, should, during the continuance thereof respectively, be charged and chargeable upon, and be payable and paid out of, the monies arisen and to arise, from time to time, of or for any the customs, duties, excises, or revenues that are or shall be under the management of the commissioners of the customs, and commissioners of the excise in Scotland, or either of them, or of any commissioners, farmers, or managers of these revenues, or any of them for the time being: and whereas some doubts have arisen, whether by the above recited act, the above respective yearly funds of ten thousand pounds, and two thousand pounds, can or may be charged upon, and paid out of monies arisen or to arise from any customs, duties, excises, or revenues, granted or imposed upon that part of Great Britain called Scotland, since the making of the said act: now, for preventing the same for the future, be it declared and enacted by the authority aforesaid, That the said yearly funds of ten thousand pounds, and two thousand pounds, shall, during the continuance thereof respectively, yearly, and every year, be paid and payable out of all and every the customs, duties, excises, and revenues, granted or imposed upon that part of Great Britain called Scotland, that are under the management of the commissioners of the customs, and commissioners of the excise in Scotland, or either of them, or of any commissioners, farmers, or managers of these revenues, or any of them for the time being, since the making of the said act, as well as out of the customs, duties, excises, and revenues, that subsisted under the management aforesaid, at the time of making the said act; subject nevertheless to the several powers, clauses, and provisions in the said recited act mentioned and provided.

The yearly
funds of
10,000 l. and
2,000 l. to be
paid out of the
revenue of
Scotland.

Proviso.

VI. And

VI. And it is hereby enacted by the authority aforesaid, That ^{Clause of loan} in case the said commissioners of his Majesty's treasury, or any ^{at 3 l. per} three or more of them now being, or the high treasurer, or any ^{cent.} three or more of the commissioners of the treasury for the time being, shall think it adviseable to raise the said sum of nine hundred thousand pounds, or any part thereof, by loans or exchequer bills, in manner herein after mentioned, that it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to advance or lend to his Majesty, at the receipt of his Majesty's exchequer, any sum or sums of money not exceeding the said sum of nine hundred thousand pounds, upon the credit of the said surplusses, excesses, or overplus monies, commonly called *The Sinking Fund*; and to have and receive for the forbearance of the money lent, interest after a rate not exceeding three pounds *per centum per annum*, so as such loans be allowed to be made by the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, who are hereby authorized to issue their warrants for that purpose as fast as such loans shall be wanted for the publick service; and moreover that no money to be lent upon the security of this act shall be rated or assessed to any tax or assessment whatsoever.

VII. And be it further enacted, That all and every person ^{Tallies and} and persons who shall lend any money upon the credit of this ^{orders for} act as aforesaid, and pay the same into the receipt of the exchequer, shall immediately have a tally of loan struck for the same, ^{repayment,} and an order for his, her, or their repayment, bearing the same date with his, her, or their tally, in or upon which order shall be also contained a warrant for payment of interest for the forbearance thereof, not exceeding the said rate of three pounds ^{to carry 3 l. per} *per centum per annum*, and to be paid every three months, until ^{cent. interest.} the repayment of the principal; and all such orders for repayment of money so to be lent shall be registred in course according to the dates respectively; and that all and every person and ^{Orders to be} persons shall be paid in course, according as their orders shall ^{register'd, and} stand registred in the said register books, so as the person or ^{paid in course.} persons, natives or foreigners, his, her, or their executors, administrators, or assigns, who shall have his, her, or their order or orders first entered in the said books of register, shall be taken and accounted to be the first person or persons to be paid out of the said surplusses, excesses, or overplus monies; and he, she, or they, who shall have his, her, or their order or orders next entered, shall be taken and accounted to be the second person to be paid, and so successively and in course; and that the monies to come in, of, or for the said surplusses, excesses, or overplus monies, commonly called *The Sinking Fund*, as aforesaid, shall be in the same order liable to the satisfaction of the said respective persons, and body or bodies politick or corporate, their executors, administrators, successors, or assigns respectively, without any undue preference of one before another,

No fee for
registering
&c.

Penalty.

Penalties how
to be recover-
ed.

No undue pre-
ference, where
tallies are
dated the
same day,
&c.

Nor if subse-
quent orders
be paid before
such as were
not demand-
ed.

and not otherwise, and shall not be diverted or divertible to any other use, intent, or purpose whatsoever (other than such uses and purposes as are appointed by any other act or acts of parliament in that behalf as aforesaid;) and that no fee, reward, or gratuity directly or indirectly shall be demanded or taken of any of his Majesty's subjects for providing or making of any such books or registers, or any entries, views, or searches in or for payment of money lent, or the interest thereof as aforesaid, by any of his Majesty's officer or officers, their clerks, or deputies, on pain of payment of treble damages to the party grieved by the party offending, with full costs of suit; or if the officer himself take or demand any such fee or reward, then to lose his place also; and if any undue preference of one before another shall be made either in point of registry or payment, contrary to the true meaning of this act, by any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt with full costs of suit to the party grieved, and shall be forejudged of his place or office; and if such preference be unduly made by any his deputy or clerk, without direction or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages, and costs, and shall be for ever after incapable of his office or place; and in case the auditor of the receipt shall not direct the said orders of loan, or the clerk of the pells record, or the teller make payment upon such orders, according to each person's due place and order as before directed, then he or they shall be adjudged to forfeit, and the respective deputies and clerks therein offending, to be liable to such action, debt, damages, and costs, in such manner as aforesaid; all which said penalties, forfeitures, damages, and costs, to be incurred by any the officers of the exchequer, or any their deputies or clerks, shall and may be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*; wherein no essoin, protection, privilege, wager of law, injunction, or order of restraint shall be in any wise granted or allowed.

VIII. Provided always, and it is declared, That if it shall happen that several tallies of loan or orders for payment as aforesaid, bear date, or be brought the same day to the auditor of the receipt to be registred, then, it shall be interpreted no undue preference which of those be entered first, so as he enters them all the same day.

IX. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay subsequent orders to persons that come and demand their monies, and bring their orders, before other persons that did not come to take their monies, and bring their orders in course, so as there be so much money reserved as will satisfy precedent orders, which shall not be otherwise disposed of, but kept for them; interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

X. And

X. And be it further enacted, That all and every perſon and Orders assign-
 perſons to whom any money ſhall be due for loans to be regi- able.
 ſtered by virtue of this act, after order entered in the book of
 registry as aforeſaid, his, her, or their executors, adminiſtrators,
 or assigns, by proper words of assignment to be indorſed and
 written upon his, her, or their order, may assign and transfer
 his, her, or their right, title, interest, and benefit of ſuch or-
 der, or any part thereof to any other; which being notified in No fee for
 the office of the auditor of the receipt aforeſaid, and an entry or entry.
 memorial thereof alſo made in the book of registry aforeſaid for
 orders (which the officers ſhall upon request without fee or
 charge accordingly make) ſhall intitle ſuch assignee, his, her, or
 their executors, adminiſtrators, ſucceſſors and assigns, to the be-
 nefit thereof, and payment thereon, and ſuch assignee may in
 like manner assign again, and ſo *toties quoties*; and afterwards it The assign-
 ſhall not be in the power of ſuch perſon or perſons who have or ment not to be
 hath made ſuch assignment, to make void, releaſe, or diſcharge voided.
 the ſame, or any the monies thereby due, or any part thereof.

XI. And to the end there may be no want or failure of a
 certain ſum not to exceed in the whole the ſaid ſum of nine
 hundred thouſand pounds, to be raiſed either by ſuch loans as
 aforeſaid, or by iſſuing exchequer bills as is herein after men-
 tioned, or by both or either of thoſe ways or means for the pub-
 lic ſervice; be it further enacted by the authority aforeſaid,
 That in caſe the commiſſioners of his Maſteſty's treaſury, or any Commiſſion-
 three or more of them now being, or the high treaſurer, or any ers of the
 three or more of the commiſſioners of the treaſury for the time treaſury may
 being, ſhall judge it more adviſeable to raiſe the ſaid ſum of make new ex-
 nine hundred thouſand pounds, or any part thereof, by exche- chequer bills
 quer bills, inſtead of ſuch loans as aforeſaid, that then they re- for the ſaid
 ſpectively are hereby authorized and impowered at any time or ſum of
 times to prepare and make, or cauſe to be prepared and made 900,000 l.
 at the exchequer, any number of new exchequer bills, for any
 ſum or ſums of money not exceeding in the whole the ſaid ſum
 of nine hundred thouſand pounds, together with ſuch loans as
 aforeſaid, in the ſame or like manner, form, or order, and ac-
 cording to the ſame or like rules and directions, as in and by
 a certain act of parliament (*For granting an aid to his Maſteſty,*
by a land tax, for the ſervice of the year one thouſand ſeven hun-
dred and fifty) are enacted and preſcribed concerning the exche-
 quer bills to be made in purſuance of the ſaid act.

XII. And be it further enacted by the authority aforeſaid, Subject to the
 That all and every the claules, proviſoes, powers, privileges, regulations
 advantages, penalties, forfeitures, and diſabilities, contained in
 the ſaid laſt mentioned act relating to the loans or exchequer
 bills authorized to be made by the ſame act (except ſuch claules
 as do charge the ſame on the aids or aſſeſſments, granted by the
 ſame act) ſhall be applied and extended to the exchequer bills
 to be made in purſuance of this act, as fully and effectually to
 all intents and purpoſes as if the ſaid exchequer bills had been
 originally authorized by the ſaid laſt mentioned act, or as if the
 ſaid

ſaid ſeveral clauſes or proviſoes had been particularly repeated or re-enacted in the body of this preſent act.

Exchequer
bills, &c. to
be repaid out
of the ſinking
fund,

XIII. And be it enacted by the authority aforeſaid, That all the exchequer bills as ſhall be made in purſuance of this act, and the intereſt, premium, rate, and charges incident to, or attending the ſame, ſhall be and are hereby charged and chargeable upon, and ſhall be repaid and borne by and out of the growing produce of the ſaid ſurpluſſes, exceſſes, and overplus monies, commonly called *The Sinking Fund* (except ſuch monies of the ſaid ſinking fund as are appropriated to any particular uſe or uſes by any former or other act or acts of parliament in that behalf) and ſuch monies of the ſaid ſinking fund ſhall and may be iſſued and applied, as faſt as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling, and diſcharging ſuch exchequer bills, intereſt, premium, rate, or charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or money ſufficient for that purpoſe be kept and reſerved in the exchequer, to be payable on demand to the reſpective proprietors thereof.

Land tax, &c.

XIV. Provided always, and be it enacted by the authority aforeſaid, That all the monies coming into the exchequer, either by loans or exchequer bills, upon one act of this ſeſſion of parliament (intituled, *An act for granting an aid to his Maſteſty by a land tax, to be raiſed in Great Britain, for the ſervice of the year one thouſand ſeven hundred and fifty*) and ſo much money, if any ſuch be, of the tax thereby granted, as ſhall ariſe or remain, after all the loans or exchequer bills made or to be made on the ſame act, and all the intereſt, *Premium*, rate and charges thereupon, and the charges thereby allowable for raiſing the ſaid land tax, ſhall be ſatiſfied, or money ſufficient ſhall be reſerved in the exchequer to diſcharge the ſame; and alſo all the monies coming into the exchequer, either by loans or exchequer bills, upon one other act of this ſeſſion of parliament (intituled, *An act for continuing and granting to his Maſteſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and fifty*) and ſo much money, if any ſuch be, of the duties thereby granted, as ſhall ariſe or remain after all the loans or exchequer bills made, or to be made on the ſame act, and all the intereſt, *Premium*, rate, and charges thereon, and the charges thereby allowable for raiſing the ſaid duties, ſhall be ſatiſfied, or monies ſufficient ſhall be reſerved in the exchequer to diſcharge the ſame; and alſo all

Malt tax,

and annuities. the monies coming into the exchequer, for contributions for annuities after the rate of three pounds *per centum per annum*, granted by one other act of this preſent ſeſſion of parliament, intituled, *An act for granting to his Maſteſty the ſum of one million, to be raiſed by annuities at three pounds per centum per annum, and charged on the ſinking fund, transferrable at the bank of England*; and the ſum of ſeventeen thouſand five hundred and fifty three pounds, ten ſhillings, and ten pence, remaining in the exchequer at *Chriſtmas* laſt, being the ſurplus of the additional duties

duties upon all wines imported, over and above sufficient to satisfy the annuities charged thereupon; and the sum of twenty nine thousand eight hundred and fifty six pounds, one shilling, and eleven pence halfpenny, being the surplus monies remaining in the exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the rates and duties upon houses, windows, and lights, and of the duties on coaches and other carriages, after satisfying all payments due thereupon; and the sum of seventy one thousand one hundred and sixteen pounds, seventeen shillings and six pence, being the surplus monies remaining in the exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the subsidy of poundage on goods and merchandizes imported, after satisfying all payments due thereupon; and also the sum of nine hundred thousand pounds, by this act granted, shall be further appropriated, and are hereby appropriated for and towards the several uses and purposes herein after expressed (that is to say) it is hereby enacted and declared by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding one million eleven thousand five hundred and twenty one pounds, five shillings, and ten pence, for or towards the naval services herein after more particularly expressed; that is to say, for or towards defraying the charges of the ordinary of his Majesty's navy, and for half-pay to sea officers; and for or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards sea services in the office of ordnance, performed and to be performed; and for or towards the buildings, rebuildings, and repairs of his Majesty's ships for the year one thousand seven hundred and fifty.

out of the aids
to be paid,

1,11,521l. 5s.
10d. towards
naval services.

XV. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding ten thousand pounds, upon account, towards the support of the royal hospital at *Greenwich*, for the better maintenance of the seamen of the said hospital, worn out and become decrepit in the service of their country.

10,000l. to
Greenwich
hospital.

XVI. And it is hereby also enacted, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding one hundred forty four thousand seven hundred and eight pounds, sixteen shillings and four pence, for or towards defraying the charge of the office of ordnance for the land service, for the service of the year one thousand seven hundred and fifty, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land service, not provided for by parliament.

144,708l. 16s.
4d. towards
the office of
Ordnance.

XVII. And it is hereby likewise enacted, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding one million two hundred thirty eight thousand seven

1,238,704l.
9s. 11d. to
the land for-
ces.

hun-

of which
628,230l. 4s.
7d. for guards
&c. in Great
Britain,
Guernsey,
and Jersey;

236,420l. 18s.
6d. 2q. for
Garrisons, &c.
in the planta-
tions, Minor-
ca and Gibrat-
tar, Nova Sco-
tia, New-
foundland,
and Provi-
dence.

29,991l. 1s.
7d. to the
duke of Brunf-
wick Wolfen-
bottle;

8,620l. to the
elector of
Mentz.

22,372l. 3s.
1d. 2q. to the
elector of Ba-
varia.

65,481l. 4s.
7d. for extra-
ordinary land-
forces, &c.
in 1749.

49,848l. 7s.
6d. to out-
pensioners of
Chelsea Hos-
pital;

5,117l. 11s.
8d. to the
two troops
of horse
guards, &c.

67,000l. to
reduced offi-
cers

3,374l. to re-
duced officers
widows, &c.

hundred and four pounds, nine shillings and eleven pence, for and towards maintaining his Majesty's land forces, and other services herein after more particularly expressed; (that is to say) any sum or sums of money, not exceeding six hundred twenty eight thousand two hundred and thirty pounds, four shillings, and seven pence, for defraying the charge of the eighteen thousand eight hundred and fifty seven effective men, including commission and non-commission officers, and one thousand eight hundred and fifteen invalids, for guards, garrisons, and other his Majesty's land forces, in *Great Britain, Guernsey, and Jersey*, for the service of the year one thousand seven hundred and fifty; and any sum or sums of money, not exceeding two hundred thirty six thousand four hundred and twenty pounds, eighteen shillings, and six pence halfpenny, for maintaining his Majesty's forces and garrisons in the plantations, *Minorca, and Gibraltar*, and for provisions for the garrisons in *Nova Scotia, Newfoundland Gibraltar, and Providence*, for the year one thousand seven hundred and fifty; and any sum or sums of money, not exceeding twenty nine thousand nine hundred and ninety three pounds, three shillings and seven pence, to make good his Majesty's engagements with his most serene highness the duke of *Brunswick Wolfenbottle*, pursuant to treaty; and any sum or sums of money, not exceeding eight thousand six hundred and twenty pounds, to make good his Majesty's engagements with the elector of *Mentz*, pursuant to treaty; and any sum or sums of money, not exceeding twenty two thousand three hundred and seventy two pounds, three shillings, and one penny halfpenny, to make good his Majesty's engagements with the elector of *Bavaria*, pursuant to treaty; and any sum or sums of money, not exceeding sixty five thousand four hundred eighty one pounds, four shillings, and seven pence, for defraying the extraordinary expences of his Majesty's land forces, and other services incurred in the year one thousand seven hundred and forty nine, and not provided for by parliament; and any sum or sums of money, not exceeding forty nine thousand eight hundred forty eight pounds, seven shillings, and six pence, upon account, towards defraying the charge of out-pensioners of *Chelsea Hospital*, for the year one thousand seven hundred and fifty; and any sum or sums of money, not exceeding five thousand one hundred seventeen pounds, eleven shillings, and eight pence, for defraying the charge for allowances to the several officers and private gentlemen of the two troops of horse guards, and regiment of horse, reduced; and to superannuated gentlemen of the four troops of horse guards, for the year one thousand seven hundred and fifty; and any sum or sums of money, not exceeding sixty seven thousand pounds, upon account of the reduced officers of his Majesty's land forces and marines, for the year one thousand seven hundred and fifty, subject to such rules to be observed in the application of the said half-pay, as are hereafter prescribed concerning the same; and any sum or sums of money, not exceeding three thousand three hundred seventy four pounds, for paying

ring of pensions to the widows of such reduced officers of his Majesty's land forces and marines, as died upon the establishment of half-pay in *Great Britain*, and who were married to them before the twenty fifth day of *December*, one thousand seven hundred and sixteen, for the year one thousand seven hundred and fifty; which said sum of three thousand three hundred and seventy four pounds, shall be issued to such person or persons, as his Majesty shall, by warrant or warrants under his Majesty's royal sign manual, direct and appoint to receive the same, to be by him or them paid over to such widows of half-pay officers, or their assigns, according to such establishments, laws, or other directions, and with and subject to such conditions, qualifications, and other allowances for the same, as his Majesty, by such and the like warrant or warrants, shall be graciously pleased to direct and appoint; and any sum or sums of money, not exceeding one hundred twenty two thousand two hundred forty six pounds, sixteen shillings, and four pence, for defraying the expence of services incurred during the war in his Majesty's colonies in *North America*, on account of the intended expedition against *Canada*, and for other services arising therefrom, and for the succour of *Nova Scotia*.

XVIII. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding thirty six thousand four hundred seventy six pounds three shillings, and ten pence, upon account, for defraying the charges incurred by transporting to his Majesty's colony of *Nova Scotia*, and supporting and maintaining there, a number of reduced officers and private men dismissed his Majesty's land and sea service, and other his Majesty's subjects now settled in the said colony, and not provided for by parliament; and any sum or sums of money, not exceeding thirty nine thousand seven hundred seventy eight pounds, nineteen shillings, and two pence, upon account, for supporting, maintaining, and enlarging the settlement of his Majesty's colony of *Nova Scotia*, for the year one thousand seven hundred and fifty.

XIX. And it is hereby also enacted, That out of all or any the aids or supplies aforesaid, there shall and may be issued and paid to the commissioners for building a bridge across the river of *Thames*, from the city of *Westminster* to the opposite shore in the county of *Surry*, or any seven or more of them, or to such person or persons as shall be appointed under the hands and seals of the said commissioners, or any seven or more of them, to receive the same, the sum of eight thousand pounds, without account, other than is directed for other monies raised by virtue of several former acts of parliament, passed during the reign of his present Majesty, for building the said bridge, to be applied to finish the said bridge, and to enable the said commissioners to perform the other trusts reposed in them.

XX. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and

1,000,000l. to pay the like sum; charged on the first aids raised after 29 Sept. 1749.

94,655l. 7s. 4d. to make good the deficiency of the half subsidy.

10,000l. for support of the British forts, &c. upon the coast of Africa.

3,304l. 3s. 4d. for Georgia.

5,183l. 17s. 8d. to make good the deficiency of the stamp duties.

13,361l. 10s. 1d. deficiency of the duties on sweets.

35,000 l. for interest on the salt duties.

7,196l. 4s. 5 d. 2q. to make good the additional duties on wines.

and may be issued and applied any sum or sums of money, not exceeding one million, to discharge the sum of one million raised in pursuance of an act passed in the last session of parliament, and charged on the first aids or supplies to be granted in parliament, after the twenty ninth day of *September*, one thousand seven hundred and forty nine; and any sum or sums of money, not exceeding ninety four thousand six hundred fifty five pounds, seven shillings, and four pence, for making good the deficiency at *Christmas*, one thousand seven hundred and forty nine, of the half subsidy of tonnage and poundage, for paying the annuity and charges of management of the *South Sea* company, for subscriptions into their capital of annuities, granted by the second act *Anno* one thousand seven hundred and eight; and any sum or sums of money, not exceeding ten thousand pounds, towards the support of the *British* forts and settlements upon the coast of *Africa*, to be applied in such manner, as his Majesty shall think proper; and there shall and may be issued and paid to the trustees for establishing the colony of *Georgia* in *America*, any sum or sums of money, not exceeding three thousand three hundred and four pounds, three shillings, and four pence, by them to be applied for the further settling and improving the said colony.

XXI. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding five thousand one hundred eighty three pounds, seventeen shillings, and eight pence, to replace to the sinking fund the like sum paid out of the same, to make good the deficiency of the additional stamp duties at *Christmas*, one thousand seven hundred and forty eight; and any sum or sums of money not exceeding thirteen thousand three hundred sixty one pounds, ten shillings, and one penny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty of twelve shillings a barrel on sweets, or wines made from *British* or foreign fruit or sugar, at *Michaelmas*, one thousand seven hundred and forty nine; and any sum or sums of money, not exceeding thirty five thousand pounds, to replace to the said sinking fund the like sum paid out of the same, to answer one year's interest due at *Michaelmas*, one thousand seven hundred and forty nine, after the rate of three pounds ten shillings *per centum per annum*, on the principal sum of one million lent on credit of the salt duties, which were continued for six years, from *Lady-day*, one thousand seven hundred and fifty three, towards the supply for the year one thousand seven hundred and forty five; and any sum or sums of money, not exceeding seven thousand one hundred ninety six pounds, four shillings, and five pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the additional duties on wines at *Midsummer*, one thousand seven hundred and forty nine; and any sum or sums of

f money, not exceeding five thousand seven hundred twenty five pounds, three shillings, and nine pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing of spirituous liquors, at *Lady-day*, one thousand seven hundred and forty nine; and any sum or sums of money not exceeding twenty one thousand five hundred sixty four pounds, two shillings, and ten pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glass and spirituous liquors, at *Midsummer*, one thousand seven hundred and forty nine; and any sum or sums of money, not exceeding thirty nine thousand six hundred thirty one pounds, six shillings, and ten pence halfpenny, for making good the deficiency at *Christmas*, one thousand seven hundred and forty nine, of the said duties on glass and spirituous liquors; and any sum or sums of money, not exceeding two hundred seventy five thousand seven hundred thirty six pounds, five shillings, and three pence, to make good the deficiency of the grants, for the year one thousand seven hundred and forty nine.

XXII. And be it further enacted by the authority aforesaid, That the said aids and supplies provided as aforesaid shall not be issued or applied to any use, intent, or purpose whatsoever, other than the uses and purposes before mentioned, or for the several deficiencies or other payments directed to be satisfied hereout by any act or acts, or any particular clause or clauses for that purpose contained in any other act or acts of this present session of parliament.

XXIII. And as to the said sum of sixty seven thousand pounds by this act appropriated on account of half-pay, as aforesaid; it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application thereof; that is to say, That no person shall have or receive any part of the same, who was a minor, and under the age of sixteen years, at the time when the regiment, troop, or company, in which he served, was reduced; that no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop, or company; that no person having any other place or employment of profit civil or military, under his Majesty, shall have or receive any part of the said half-pay; that no chaplain of any garrison or regiment, who has any ecclesiastical benefice in *Great Britain* or *Ireland*, shall have or receive any part of the said half-pay; that no person shall have or receive any part of the same, who has resigned his commission, and has had no commission since; that no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons, who would have been otherwise intitled to the same as reduced officers; and that no part of the same shall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately disbanded in *Ireland*, except to such as

5,724l. 3s. 9d. to make good the duty on licences for retailing spirituous liquors.

21,564l. 2s. 10d. 2q. deficiency of the duties on glass and spirituous liquors.

39,631l. 6s. 10d. 2q. deficiency at Christmas, 1749;

275,736l. 5s. 3d. deficiency of the grants for 1749;

The supplies to be applied only as this act directs.

Rules to be observed in the application of the half pay.

were lately taken off the establishment of half-pay in Great Britain.

22 Geo. 2.
c. 42.

XXIV. *And whereas by an act of parliament made in the twenty second year of his Majesty's reign, (intituled, An act for granting to his Majesty the sum of one million out of the sinking fund, for the service of the year one thousand seven hundred and forty nine; and for enabling his Majesty to raise a further sum of one million for the uses and purposes therein mentioned; and for the further appropriating the supplies granted in this session of parliament; and for applying a certain sum for defraying certain charges and allowances to the officers and private gentlemen of the reduced troops of horse guards; and for continuing the bounties on the exportation of British and Irish linens; and for making forth duplicates of exchequer bills, lottery tickets, annuity orders, or other orders, lost, burnt, or otherwise destroyed) several supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several uses and purposes therein expressed, amongst which, any sum or sums of money, not exceeding sixty seven thousand two hundred and twenty six pounds, eighteen shillings, and four pence, was appropriated to be paid to the reduced officers of his Majesty's land forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as in and by the aforesaid act were prescribed in that behalf; now it is hereby provided, enacted, and declared by the authority aforesaid, That so much of the said sum of sixty seven thousand two hundred twenty six pounds, eighteen shillings, and four pence, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed by the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of to such officers who are maimed or lost their limbs in the late wars, or such others, as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act to the contrary notwithstanding.*

Application of
the surplus of
67,226l. 18s.
4d. appro-
priated in
1749, to the
half-pay.

Clause for re-
lief of persons
who have
omitted to
pay the duties
charged on in-
dentures.

XXV. *And for the relief of any person or persons, who through neglect or inadvertency, have omitted to pay the several rates and duties, or any part thereof, upon monies given, paid, contracted, or agreed for, with or in relation to any clerk, apprentice, or servant, which hath been put or placed to or with any master or mistress to learn any profession, trade or employment, and to have such indentures or other writings, which shall contain the covenant, articles, contracts, or agreements, relating to the service of such clerk, apprentice, or servant, stamped within the times by the several acts of parliament, for those purposes respectively limited, or who have also in like manner omitted to insert and write in words at length, in such indentures or other writings as aforesaid, the full sum or sums of money, or any part thereof received, or in any wise directly or indirectly given, paid, agreed, or contracted for, with, or in re-*

lation

tion to every such clerk, apprentice, or servant as aforesaid; be enacted by the authority aforesaid, That upon payment of the rates or duties upon monies, or such part of such monies so neglected or omitted to be paid as aforesaid, on or before the first day of *August*, one thousand seven hundred and fifty, to such person or persons to whom the same ought to be paid, and tendering the said indentures or other writings to be stamped at the same time, or at any time on or before the twenty ninth day of *September*, one thousand seven hundred and fifty, of which timely notice is to be given in the *London Gazette*, the same indentures or other writings shall be good and available in law and equity, and may be given in evidence in any court whatsoever; and the clerk, apprentice, or servant therein named, shall be capable of following and exercising their respective intended trades or employments, as fully as if the said rates and duties so omitted had been duly paid, and the full sum or sums received or agreed for as aforesaid had been inserted, and the persons who have incurred any penalties by the omissions aforesaid, shall be acquitted and discharged of and from the said penalties, any thing in this or any former acts to the contrary in any wise notwithstanding.

XXVI. *And whereas the fund upon which the bounties granted upon the exportation of British made sail cloth are charged, hath of late been deficient, which has contributed to the decay of the said manufacture*; in order therefore to secure the due and regular payment of the said bounties for the future, be it enacted by the authority aforesaid, That from and after the first day of *June*, one thousand seven hundred and fifty, the bounty which is now payable upon exportation of *British* sail cloth out of the duty of one penny *per* ell, on foreign sail cloth imported, shall from time to time for the future, be supplied and paid out of such part of the old subsidies as are applicable to the payment of incidents after satisfying all payments already charged thereupon, by any former act or acts of parliament in that behalf in the like manner, and under the like regulation and restrictions, as are directed and prescribed by the several acts for the payment of such bounties.

The bounty upon exportation of British sail cloth, to be paid for the future out of the old subsidies.
26 Geo. 2.
c. 32. s. 9.

XXVII. *Whereas great frauds and abuses are committed in the duties arising from candles, soap and starch, which apparently tend not only to the diminution of the said revenues, but also to the discouragement of the fair traders*; for remedy whereof, be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *May*, one thousand seven hundred and fifty, no candles, soap, or starch shall be brought or imported into *Great Britain*, in any ship or vessel from *Ireland*, or the isle of *Man*, or from any other place or places whatsoever beyond the seas, otherwise than in cask, chest, case, bag, or other package, each cask, chest, case, bag, or other package whereof, shall contain two hundred and twenty four pounds, of neat candles, soap, or starch at the least, to be stowed openly in the hold of such ship or vessel importing the same,

Candles, soap, or starch imported contrary to this act,

under

to be forfeited, under the penalties and forfeitures following (that is to say) that and the master all the candles, soap, or starch so imported, in any ship or vessel contrary to this act, together with the package, shall be forfeited, and the master, mate, or other person, taking the charge or command of such ship or vessel, shall forfeit fifty pounds; and it shall and may be lawful for the respective officers of the customs or excise, or such other persons who are or shall be deputed or authorized thereto, by warrant from the high treasurer, commissioners of the treasury, or under treasurer, or by special commission from his Majesty, under the great seal or privy seal, to seize such candles, soap, or starch, together with the casks, chests, or other package, containing the same.

Officers may seize the same.

Officers of excise may go on board vessels,

and rummage for candles, soap, and starch, &c.

Cocquets to express the quality, quantity, and weight, &c. of those commodities, under penalty of the goods being forfeited, &c.

XXVIII. And be it enacted by the authority aforesaid, That from and after the first day of *May*, one thousand seven hundred and fifty, it shall and may be lawful to and for the officers of his Majesty's revenue of excise, or any of them, to go on board and enter into any ship or vessel whatsoever, which shall be within the limits of any of the ports of the kingdom of *Great Britain*, and to continue on board the same, and to rummage and search in like manner as the officers of the customs may now legally do, for all candles, soap, and starch, and to seize for his Majesty's use, as well all such of the said commodities as shall be there found, which by the laws thereunto respectively relating, shall be forfeited, together with the casks, boxes, chests, bags, or other package containing the same; and in like manner to seize such of the commodities aforesaid, every or any of them, as before due entry thereof, with the proper officer or officers, and without paying or securing the duties on the importation thereof, shall be found unshipping or unshipped out of such ship or vessel, to be laid on land, without entry and payment of the duties due for the same respectively, together with the casks, chests, boxes, bags, or other package whatsoever, containing the same.

XXIX. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and fifty, where any sufferance, cocquet, or transfire shall be granted, for any candles, soap, or starch, to be shipped or put on board, to be carried forth to the open sea from any port, creek, or member, within the kingdom of *Great Britain*, to be landed at any other place in the said kingdom, such sufferance, cocquet, or transfire, shall respectively express the quality, quantity, and weight of the said candles, soap, or starch, and mark of the package so to be shipped, by whom such candles, soap, or starch were made and sold, and to what place the same is or are consigned; and where any candles, soap, or starch shall be so shipped or put on board, without such sufferance, cocquet, or transfire, such candles, soap, or starch, together with the package containing the same, shall be forfeited and lost; and it shall and may be lawful for the respective officers of the customs or excise, or such other persons who are or shall be deputed or authorized thereto, by warrant from the high treasurer, commissioners

Officers of the treasury, or under treasurer, or by special commission from his Majesty, under the great seal, or privy seal, to seize such candles, soap, or starch, together with the casks, or other package containing the same.

XXX. And be it further enacted by the authority aforesaid, that if any officer or officers of excise or customs, to seize any quantity of candles, soap, or starch, together with the package containing the same, that shall be found in any ship or vessel, or shall be carrying in any cart or waggon, or in any other carriage whatsoever, where they shall have good reason to suspect and believe, the same hath been made in some private workhouse or other place, or clandestinely imported without payment of the duty, or that the same candles, soap, or starch which have been exported, and re-landed, after the duty had been repaid and drawn back for the same at the time of the exportation thereof; and if the party in whose possession such candles, soap, or starch shall be found, does not at the hearing of the information for that purpose to be exhibited as herein after directed, make it appear that the duty hath been paid or secured for the same, all the said candles, soap or starch, so seized for the causes aforesaid, shall be forfeited, together with the package containing the same; and the person in whose possession such candles, soap, or starch shall be found, shall likewise forfeit and pay the sum of five pounds, for every hundred pounds weight; and so in proportion for a greater or lesser quantity.

XXXI. And be it further enacted by the authority aforesaid, that if any foreign candles, soap, or starch, shall be unshipped with intention to be laid on land before an entry has been made thereof, with the proper officer or officers for the said duties, and before the respective duties for the same have been first paid or secured; or if any candles, soap, or starch contained or specified in any certificate, whereupon any drawback is to be made, or whereupon any debenture is to be made forth for such drawback, shall, when shipped for exportation, be landed again in any part of *Great Britain*; such candles, soap, or starch, together with the package containing the same, and the vessels and boats, and all the horses and other cattle and carriages whatsoever, used in the landing, relanding, removing, carrying, or conveying of the aforesaid goods, shall be forfeited and lost, and may be seized by any officer or officers of the customs or excise; and the person or persons from whom such candles, soap, or starch shall be seized, shall also forfeit and pay five pounds, for every hundred pounds weight thereof; and so in proportion for a greater or less quantity.

XXXII. And for the more effectual discovering and detecting the running of any candles, soap, or starch; be it enacted by the authority aforesaid, That in case any person or persons whatsoever shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer to be harboured, kept, or concealed, such candles, soap, or starch, which have been so unlawfully imported,

to forfeit the
goods,

and 50l. for
every C. wt.

Method of
proceeding
when no per-
son appears to
claim the
goods within
20 days.

Judgements to
be final.

or which have been shipped for exportation upon debenture, and so relanded as aforesaid, the party or parties offending therein, whether, he, she, or they, have or have not, or do, or do not claim or pretend to have any property or interest in such candles, soap, or starch, so harboured, kept, or concealed, shall, for every such offence, forfeit and lose all such candles, soap, or starch, so harboured, kept, or concealed, with the casks, vessels, or other package containing the same; and shall forfeit and lose the sum of fifty pounds, for every hundred pounds weight thereof; and in the same proportion for a greater or lesser quantity.

XXXIII. Provided always, and it is hereby further enacted by the authority aforesaid, That in all cases, where any such candles, soap, or starch shall be seized as forfeited, and no person or persons within twenty days next after such seizure shall appear to the officer or officers who made such seizure, to claim the same, then, and in such case, if such seizure or seizures shall happen to be made within the limits of the chief excise office in *London*, it shall and may be lawful for the officer or officers who shall make such seizure or seizures, from and after the expiration of the said twenty days next after such respective seizure or seizures, to cause notice in writing to be signed by his Majesty's solicitor for the revenue of excise for the time being, to be affixed at the *Royal Exchange*, signifying the day and time of the day, that the commissioners of the excise for the time being, or three of them, will proceed to hear the matter of such seizure or seizures, and to the condemnation of the candles, soap, or starch, so seized as aforesaid, and of the casks, vessels, or other package containing the same; and if such seizure of candles, soap, or starch as aforesaid, shall happen to be made as aforesaid, out of the limits of the said chief excise office in *London*, it shall and may be lawful for the officers who shall make such seizure or seizures, from and after the expiration of twenty days next after such respective seizure or seizures, to cause public notice to be given by proclamation, at the next market town to the place or places where such respective seizure or seizures shall be made as aforesaid, upon the next market day after the expiration of the said twenty days, of the day and place when and where the justices of the peace will proceed to hear the matter of such seizure or seizures, and to the condemnation of the candles, soap, or starch so seized as aforesaid; in which said cases it shall and may be lawful for the said commissioners of excise, and justices of the peace respectively, within their respective jurisdictions to proceed to examine into the cause of such seizure or seizures, and to give judgement for the condemnation of such candles, soap, or starch so seized, as upon due examination shall appear to be forfeited, and of the casks, vessels, or other package containing the same, which judgements shall be good, valid, and effectual in the law, and final to all intents and purposes whatsoever, as if the respective owner or owners of the said candles, soap, starch, or the respective person or persons in whose custody the same were or was at the respective time

time or times of the seizure or seizures thereof, had been respectively summoned to attend the said commissioners of excise or justices of the peace, in the manner herein before prescribed, and shall not be liable to any appeal, or to be removed by *Certiorari*; and not removeable by *Certiorari*; any thing in this present act contained, or any law, statute, or provision to the contrary thereof, in any wise notwithstanding.

XXXIV. And be it further enacted by the authority aforesaid, That in case any officer or officers for the said duties of excise, shall have cause to suspect that any candles, soap, or starch shall be fraudulently hid or concealed in any place whatsoever, either entered for keeping the same, or not entered, with an intent to defraud his Majesty of the duties thereon, then and in such case, if such place shall be within the cities of *London* or *Westminster*, or within the limits of the weekly bills of mortality, upon oath made by such officer or officers before the commissioners of excise for the time being, or any two or more of them, or in case the same shall be in any other part of *Great Britain*, upon oath made by such officer or officers, before one or more justice or justices of the peace for the county, riding, division, or place where such officer shall suspect the same to be hid or concealed, setting forth the ground of his or their suspicion, it shall and may be lawful to and for the said commissioners, or justice or justices of the peace respectively, before whom such affidavit or affidavits shall be made, if he or they shall judge it reasonable, by special warrant or warrants, under his or their respective hands and seals, to authorize and empower such officer or officers by day or by night, but if in the night, in the presence of a constable or other lawful officer of the peace, to enter into all and every such place or places, where he or they shall so suspect such candles, soap, or starch to be so fraudulently hid or concealed, and seize and carry away all such candles, soap, or starch, which he or they shall then and there find so fraudulently hid and concealed, as forfeited, together with all the casks, chests, boxes, bags, or other package whatsoever, wherein the same shall be contained; and if any person or persons whatsoever, shall obstruct, oppose, molest, lett, or hinder any officer or officers of or for the said duties, or any of them, in the doing, performing, or executing any of the powers or authorities by this act given to such officer or officers; every such person or persons offending therein, shall, for every such offence, forfeit and lose the sum of one hundred pounds.

XXXV. And be it declared and enacted by the authority aforesaid, That if any of the said candles, soap, or starch shall be so seized for non-payment of duties or non-entry, and any dispute shall arise, whether the customs, excise, or inland duties have been paid for the same, or the same have been duly entered, then, and in such cases, the proof thereof shall lie on the owner or claimer of such goods, and not on the officer who shall seize or stop such goods.

XXXVI. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand on candles,

made in Ire-
land, &c.

seven hundred and fifty, no person who shall export from any part of *Great Britain*, candles, soap, or starch made in *Ireland*, or in the isle of *Man*, or in any other place or places whatsoever beyond the seas, shall, on exportation thereof, be intitled to receive any drawback, or be repaid the duties, customs, or impositions, paid, payable, or secured on importation of the same, or any part thereof; any law, statute, custom, or usage to the contrary notwithstanding.

Method of
proceeding to
condemnation
of such seiz-
ures.

XXXVII. And be it further enacted by the authority aforesaid, That when any candles, soap, or starch shall be seized by any officer of excise, or any other persons authorized thereto, on board any ship or vessel, or unshipping or unshipped, as forfeited by virtue and in pursuance of this act; and when any candles, soap, or starch shall be seized by any officer of excise, or any other persons authorized thereto, carrying or removing by land, or lodged or concealed in any place whatsoever on shore, as forfeited by virtue and in pursuance of this act; all such seizures of the said goods and packages, and of the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, used for carrying and removing the same (except such seizures of the said goods and packages, and of the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, used for carrying and removing the same) where no person or persons shall, within twenty days after such seizure, claim the same (in which case the method of proceeding has been herein before directed) and the several penalties and forfeitures by this act respectively imposed, shall and may be proceeded upon, heard, and determined in such manner and form as hereafter in and by this act is directed and appointed (that is to say) all informations for the condemnation of such seizures, and for the penalties and forfeitures by this act respectively imposed, if the said seizures were made, and penalties and forfeitures incurred within the limits of the chief office of excise in *London*, shall be proceeded upon, heard, and determined by the commissioners of excise for the time being, or any three of them, or by the commissioners of appeals, or the major part of them, in case of appeal, and not otherwise: and all informations for the condemnation of such seizures, and for the penalties and forfeitures by this act respectively imposed, if such seizures were made, and penalties and forfeitures incurred out of the limits of the said chief office of excise in *London*, shall be proceeded upon, heard, and determined by any two or more of the justices of the peace for time being, residing near to the place where such seizure shall be made, or penalty or forfeiture incurred; and if either party find himself aggrieved by the judgement given by two or more justices, he shall and may appeal to the justices of the peace at the next quarter sessions, who are hereby authorized and empowered to hear and determine the same; whose judgement therein shall be final: which said commissioners of excise and appeals, and the said justices of the peace respectively, are hereby authorized and required, upon any information exhibit-

ed,

or complaint made, within three months after any seizure, or penalty or forfeiture incurred, to summon the party affected, and also the witnesses on either side; and upon the appearance, or default of the party accused in not appearing (upon proof of notice given) to proceed to the examination of the matter of fact, and of the witness or witnesses, upon oath (which in them the said commissioners and justices are hereby respectively impowered to administer) touching such seizure or seizures,alties or forfeitures; and thereupon to proceed to give judgment, as well for any penalty or forfeiture inflicted by this act, as, upon due examination, or the voluntary confession of the party accused, shall be found to be incurred, as for the condemnation of such candles, soap, or starch, and the packages, the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, so seized, which, upon due examination, or voluntary confession of the party accused, shall be found to be forfeited by virtue of this act, or any other act relating to Majesty's revenue of excise, and to issue out their warrants for the sale of such candles, soap, or starch, and the packages, vessels, boats, horses, and other cattle, waggons, carts, and other carriages, as shall be so by them respectively condemned; where the party accused shall be convicted of the offence alleged against him, to award and issue warrants under their hands for the levying any pecuniary penalty or penalties so adjudged upon the goods and chattels of the said offenders, and to cause to be made of the said goods and chattels, if they shall not be redeemed within fourteen days, rendering to the party the plus (if any) and for want of sufficient distress, to imprison the party offending till satisfaction be made.

XXVIII. Provided nevertheless, That it shall and may be lawful to and for the said commissioners and justices, where they shall see cause, to mitigate or lessen any penalties and forfeitures, in such manner as they shall think fit; the reasonable costs and charges of the officers, as well in making the discovery, as in the prosecution of the same, being always allowed over and above mitigation, and so as such mitigation do not reduce the penalty to less than one fourth part thereof, over and above the costs and charges; any thing contained in this act to the contrary notwithstanding.

XXIX. And it is hereby further enacted, That all penalties and forfeitures in this act mentioned (all necessary charges the recovery thereof being first deducted) shall be employed, moiety thereof to and for the use of his Majesty, his heirs successors, and the other moiety to the seizer or prosecutor.

L. Provided also, and be it enacted, That no writ or writs of *Certiorari* shall supersede execution, or other proceedings upon any order or orders, made in pursuance of this act; but that execution, and other proceedings, shall and may be had and done thereupon; any such writ or writs, or allowance thereof, notwithstanding.

CAP. XXII.

An act for giving further time to the proprietors of annuities, after the rate of four pounds per centum per annum, to subscribe the same in the manner, and upon the terms, therein mentioned; and for redeeming such of the said annuities, as shall not be so subscribed; and for empowering the East India company to raise certain sums by transferable annuities.

Most gracious Sovereign,

23 Geo. 2. c. 1.

WHEREAS by an act made and passed in this present session of parliament, intituled, An act for reducing the several annuities which now carry an interest after the rate of four pounds per centum per annum to the several rates of interest therein mentioned; it was amongst other things, enacted, That any person and persons, bodies politick or corporate, who were interested in, or intituled unto, any part of the national debt incurred before Michaelmas, one thousand seven hundred and forty nine, redeemable by law, which now carries an interest after the rate of four pounds per centum per annum; and who should, on or before the twenty eighth day of February, one thousand seven hundred and forty nine, subscribe their names, or signify their consents, in books prepared for that purpose, to accept of an interest of three pounds per centum per annum, to commence from the twenty fifth day of December, one thousand seven hundred and fifty seven, subject to the same provisos, notices, and clauses of redemption, which their respective four per cents are now liable to; should, in lieu of their present interest, be intituled unto, and receive an interest of four pounds per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty; and from and after the twenty fifth day of December, one thousand seven hundred and fifty, an interest of three pounds ten shillings per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty seven; and that no part of the same should be liable to be redeemed, except as therein is excepted, till after the said twenty fifth day of December, one thousand seven hundred and fifty seven, as in and by the said act, relation being thereunto had, may more fully appear: and whereas in pursuance of the powers given by the before recited act, great part of the said annuities, after the said rate of four pounds per centum per annum, have been subscribed upon the terms of the said act: now we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being truly sensible that the completing the reduction of the said annuities, carrying an interest of four pounds per centum per annum, which remain unsubscribed, would be of publick service to the nation, have resolved, That any person or persons, bodies politick or corporate, who now are, or hereafter may be, interested in, or intituled unto, such part of the national debt, incurred before Michaelmas, one thousand seven hundred and forty nine, redeemable

Time given to
30 May, to the
proprietors of
the four per
cent annui-

able

able by law, which now carries an intereſt of four pounds *per centum per annum*, as hath not been ſubſcribed, in purſuance of the ſaid recited act of this ſeſſion of parliament, and who do, on or before the thirtieth day of *May*, one thouſand ſeven hundred and fifty, ſubſcribe their names, or ſignify their conſent, to accept of an intereſt of three pounds *per centum per annum*, to commence from the twenty fifth day of *December*, one thouſand ſeven hundred and fifty five, ſubject to the ſame proviſions, notices, and clauſes of redemption, which their reſpective four *per cents* are now liable to, ſhall, in lieu of their preſent intereſt, be intitled unto, and receive, an intereſt of four pounds *per centum per annum*, until the twenty fifth day of *December*, one thouſand ſeven hundred and fifty; and from and after the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, an intereſt of three pounds and ten ſhillings *per centum per annum*, until the twenty fifth day of *December*, one thouſand ſeven hundred and fifty five; and that no part of the ſame ſhall be liable to be redeemed, until after the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty five; and that ſuch part of the national debt incurred before *Michaelmas*, one thouſand ſeven hundred and forty nine, redeemable by law, which now carries an intereſt of four pounds *per centum per annum*, and which ſhall not be ſubſcribed on or before the thirtieth day of *May*, one thouſand ſeven hundred and fifty, be redeemed and paid off; and that your Maſteſty be enabled to borrow of any perſon or perſons, bodies politick or corporate, any ſum or ſums of money, not exceeding ſuch part of the national debt, carrying an intereſt of four pounds *per centum per annum*, redeemable by law, as hath not been ſubſcribed in purſuance of the ſaid act, and ſhall not be ſubſcribed according to the aforegoing reſolution, to be charged upon the ſinking fund; and to be applied to pay off and redeem ſuch part of the ſaid national debt, ſo unſubſcribed as aforeſaid, upon any terms, not exceeding the rates of intereſt propoſed in the ſaid reſolution: and whereas ſeveral notices have been given by the ſpeaker of the houſe of commons, in purſuance of the reſolution of the ſaid houſe, that unleſs the ſaid unſubſcribed annuities, carrying an intereſt of four pounds *per centum per annum*, be ſubſcribed on or before the thirtieth day of *May*, one thouſand ſeven hundred and fifty, the ſame would be redeemed and paid off, according to the terms in the ſaid notices contained reſpectively; that is to ſay, That ſo much of the annuities transferrable at the bank of *England*, created in the year one thouſand ſeven hundred and forty ſix; and ſo much of the annuities transferrable at the bank of *England*, as were raiſed by a lottery in the year one thouſand ſeven hundred and forty ſeven, as have not been ſubſcribed in purſuance of an act paſſed this ſeſſion of parliament, and ſhall not be ſubſcribed on or before the thirtieth day of *May*, one thouſand ſeven hundred and fifty, will be redeemed and paid off on the twenty fourth day of *June*, one thouſand ſeven hundred and fifty one, agreeable to the clauſes and powers of redemption, contained in

Such part of the four per cent. annuities as ſhall not be ſubſcribed, to be paid off.

His Maſteſty impowered to borrow money on the ſinking fund to pay off the ſame.

the feveral acts of parliament for creating the faid annuities refpectively; that fo much of the annuities transferrable at the bank of *England*, created in the year one thoufand feven hundred and forty eight, as have not been fubfcribed, purfuant to an act paffed this feflion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thoufand feven hundred and fifty, will be redeemed and paid off, on the twenty fifth day of *March*, one thoufand feven hundred and fifty one, agreeable to the claufes and powers of redemption, contained in the act of parliament for creating the faid annuities; that fo much of the annuities transferrable at the bank of *England*, created in the year one thoufand feven hundred and forty nine, as have not been fubfcribed, purfuant to an act paffed this feflion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thoufand feven hundred and fifty, will be redeemed and paid off on the twenty ninth day of *September*, one thoufand feven hundred and fifty one, agreeable to the claufes and power of redemption, contained in the feveral acts of parliament for creating the faid annuities refpectively; that fo much of the annuities charged upon wrought plate, and payable at the exchequer, as have not been fubfcribed, purfuant to an act paffed this feflion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thoufand feven hundred and fifty, will be redeemed and paid off on the twenty fifth day of *March*, one thoufand feven hundred and fifty one, agreeable to the claufes and powers of redemption contained in the act made in the fixth year of the reign of King *George* the Firft, for laying a duty upon wrought plate; that the fum of four million two hundred thoufand pounds, now due and owing to the united company of merchants trading to the *East Indies*, will be redeemed and paid off in manner and form following, *videlicet*; one million and fifty thoufand pounds, on the twenty fifth day of *March*, one thoufand feven hundred and fifty one; one million and fifty thoufand pounds, on the twenty fourth day of *June*, one thoufand feven hundred and fifty one; one million and fifty thoufand pounds, on the twenty ninth day of *September*, one thoufand feven hundred and fifty one; and the remaining fum of one million and fifty thoufand pounds, on the twenty fifth day of *December*, one thoufand feven hundred and fifty one, unlefs the fum of three million two hundred thoufand pounds be fubfcribed on or before the thirtieth day of *May*, one thoufand feven hundred and fifty: and therefore your faithful commons do moft humbly befeech your Majefty that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament afsembled, and by the authority of the fame, That fuch notices as aforefaid

Notices given by the fpeaker, &c. to be deemed good. (shall be and be deemed, adjudged, and taken to be good and fufficient notice or notices, within the true intent and meaning of the feveral acts of parliament for the redemption of the faid feveral annuities, and the fame fhall be redeemable accordingly;

ngly; any thing in the fame, or any other act or acts of parliament to the contrary in any wife notwithstanding.

II. And be it enacted by the authority aforefaid, That any person or persons, bodies politick or corporate, who now are, or hereafter may be, interested in, or intitled unto, any part of the national debt, incurred before *Michaelmas*, one thousand even hundred and forty nine, redeemable by law, which now carries an interest of four pounds *per centum per annum*, as hath not been subscribed in pursuance of the said recited act of this present session of parliament; and who do, on or before the thirtieth day of *May*, one thousand seven hundred and fifty, subscribe their names, or signify their consent, to accept of an interest of three pounds *per centum per annum*, to commence from the twenty fifth day of *December*, one thousand seven hundred and fifty five, subject to the same provisos, notices, and clauses of redemption, which their respective four *per cents* are now liable to, shall, in lieu of their present interest, be intitled unto, and receive, an interest of four pounds *per centum per annum*, until the twenty fifth day of *December*, one thousand seven hundred and fifty; and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, an interest of three pounds ten shillings *per centum per annum*, until the twenty fifth day of *December*, one thousand seven hundred and fifty five; and that no part of the same shall be liable to be redeemed, till after the said twenty fifth day of *December*, one thousand seven hundred and fifty five.

III. And be it further enacted by the authority aforefaid, That such part of the national debt, incurred before *Michaelmas*, one thousand seven hundred and forty nine, redeemable by law, which now carries an interest at the rate of four pounds *per centum per annum*, and which shall not be subscribed before the said thirtieth day of *May*, one thousand seven hundred and fifty, shall be redeemed and paid off.

IV. And be it further enacted by the authority aforefaid, That in case the sum of three million two hundred thousand pounds, now due and owing to the united company of merchants trading to the *East Indies*, carrying an interest after the rate of four pounds *per centum per annum*, be not subscribed on or before the said thirtieth day of *May*, one thousand seven hundred and fifty, upon the terms herein before mentioned; then, and in such case not only the said sum of three million two hundred thousand pounds, but also the sum of one million, now due and owing to the said united company, at an interest after the rate of three pounds *per centum per annum*, by virtue of an act of parliament passed in the seventeenth year of his Majesty's reign, shall be redeemed and paid off.

V. Provided nevertheless, and be it further enacted by the authority aforefaid, That in case the said united company shall, on or before the said thirtieth day of *May*, one thousand seven hundred and fifty, signify their consent to the reduction of the interest of four pounds *per centum per annum*, now payable to the

The proprietors subscribing within the time limited, to be allowed an interest after the several rates mentioned.

Such part of the said annuities as shall not be subscribed, to be paid off.

The East India company not subscribing to be paid off.

The East India company subscribing within the time limited, the

are impower-
ed, with con-
sent of the
treafury, to
borrow
4,200,000l. at
the feveral
rates of inte-
rest granted
by this act,
&c.

The annuities
to be free of
taxes, and
assignable;

the faid united company, in refpect of the faid principal fum of three million two hundred thoufand pounds, to the feveral rates of intereft before mentioned, redeemable by parliament, as afore-
faid, and alfo that the faid fum of one million, due and owing to the faid united company, at an intereft after the rate of four pounds *per centum per annum*, by virtue of the faid act of the feventeenth year of his Majesty's reign, fhall remain and continue at the faid rate of three pounds *per centum per annum*, until the fame fhall be redeemed and paid off, according to the provifo contained in the faid act of the feventeenth year of his Majesty's reign, in that behalf; that then it fhall and may be lawful to and for the faid united company, and they are hereby authorized and impowered by and with the confent and approbation of the commissioners of his Majesty's treafury, or any three or more of them now being, or the high treafurer, or any three or more of the commissioners of the treafury for the time being, at fuch time or times, and in fuch manner, as they fhall find to be moft for the advantage of the faid united company, to borrow, or take in by fubfcription, or otherwife, from any perfon or perfons, bodies politick or corporate, who are willing to advance the fame, any fum or fums of money, not exceeding in the whole the fum of four million two hundred thoufand pounds, by fale of annuities, after the feveral rates of intereft following; that is to fay, any fum or fums, not exceeding three million two hundred thoufand pounds, by fale of annuities, after the feveral rates of intereft herein before propofed to be paid, for the faid fum of three million two hundred thoufand pounds, in cafe the fame fhall be fubfcribed on or before the faid thirtieth day of *May*, one thoufand feven hundred and fifty; and any fum or fums, not exceeding one million more, by fale of annuities, after the rate of three pounds *per centum per annum*; all which faid annuities fhall be paid and payable to the refpective perfons and corporations intituled thereunto, their executors, administrators, or affigns, at the office of the faid united company, out of the fame duties and revenues, as the prefent annuities payable to the faid united company, in refpect of the faid principal fums of three million two hundred thoufand pounds, and one million, are now payable, and fhall commence and be paid at fuch feaft days, as fhall be agreed upon between the faid united company, and the faid feveral contributors refpectively; and that the faid fum of four million two hundred thoufand pounds, fo to be advanced, or fo much thereof as fhall be advanced as aforefaid, and all and every the annuities payable for or in refpect of the fame, fhall be free of all taxes, charges, and impositions whatfoever; and fhall be assignable or transferrable in a book or books to be provided for that purpofe, in the office of the faid united company, in fuch manner as the faid commissioners of the treafury, or any three or more of them now being, or the faid high treafurer, or any three or more of the commissioners of the treafury for the time being, fhall direct in that behalf, without fee or gratuity, and free from all charges; and that

faid annuities fhall be deemed and taken to be a per- and a perfonal
 id not a real eftate, and fhall go to the executors or ad- citate;
 dors of the perfon or perfons dying poffeffed thereof, in-
 therein, or intituled thereunto, and not to the heir at
 bjeft neverthelefs to fuch or the like provifo or condition
 option by the publick, as the faid fums of three million fubject to re-
 dred thoufand pounds, and one million, due to the faid demption by
 y, would be fubject, in cafe fuch fubfcription by the parliament.
 pany, on or before the faid thirtieth day of *May*, one
 feven hundred and fifty, and the faid fums had then
 d due from the publick to the faid company.

And be it enacted by the authority aforefaid, That the The powers
 powers given to the faid united company, by feveral given to the
 parliament now in force, of raifing money by bonds un- company of
 r common feal for the carrying on the trade of the faid raifing money
 y, and lending money on bottomry, and otherwife, as by bonds, &c.
 aid acts, fome or one of them is mentioned, fhall con- continued;
 id be in force, but that the amount of the fums which the money to
 united company fhall raife by fale of annuities by virtue go to paying
 ct, as aforefaid, fhall be by them applied towards the their prefent
 e of their prefent bond debt; and fhall be computed bond debt.

And be it enacted by the authority aforefaid, That it Power given
 d may be lawful to and for the King's moft excellent to his Majefty
 , by warrant under his royal fign manual, to authorize to borrow
 power the commiffioners of the treafury, or any three or money on the
 f them now being, or the high treafurer, or any three finking fund,
 e of the commiffioners of the treafury for the time being, to pay off un-
 by loans or exchequer bills, or by way of fubfcription, fubfcribed an-
 ch other manner or form as his Majefty fhall, in his nuities.
 idom, think moft for the advantage of the publick, from
 fon or perfons, bodies politick or corporate, any fum or
 money, not exceeding fuch part of the national debt,
 g an intereft of four pounds *per centum per annum*, re-
 le by law, as hath not been fubfcribed in purfuanee of an
 his feflion of parliament, and fhall not be fubfcribed ac-
 to the propofal herein before mentioned, to be charged
 finking fund, and to be applied to pay off and redeem
 rt of the national debt fo unfubfcribed as aforefaid, upon
 ms not exceeding the rate of intereft in the aforegoing
 d mentioned.

. And be it further enacted by the authority aforefaid, The reduced
 he feveral annuities of four pounds *per centum per annum*, annuities
 ayable in refpect of the faid principal fum unfubfcribed by made payable
 prietors thereof, and by this act continued to them un- and transfer-
 twenty fifth day of *December*, one thoufand feven hun- rable as the
 d fifty, as alfo the feveral reduced annuities of three four per cents.
 ten fhillings *per centum per annum*, and three pounds *per*
per annum, by this act made payable in lieu thereof, from
 pective days therein mentioned, fhall, during the refpec-
 tinuances thereof, be paid and payable to the refpective
 perfons

persons and corporations intituled thereunto, their executors, administrators, or assigns, at the same respective offices and places, and out of the same duties, revenues, and incomes, and at such time and times, and shall be assignable, transferrable, and disposable in the same manner and form, as the said annuities of four pounds *per centum per annum* are now payable, assignable, transferrable, and disposable by the respective acts and statutes now in force, for or concerning the same, and as if this present act had never been made; subject nevertheless to redemption by parliament, from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, in manner herein after mentioned; any thing herein contained to the contrary thereof in any wise notwithstanding.

Books to be
opened for
taking in the
subscriptions.

IX. And be it further enacted by the authority aforesaid, That there shall forthwith be prepared and kept in the office of the auditor of the receipt of the exchequer, and also at the respective offices of the governor and company of the bank of *England*, and of the governor and company of merchants of *Great Britain*, trading to the *South Seas*, and for encouraging the fishery, commonly called the *South Sea Company*, a book or books for taking in subscriptions, or receiving the consent of such person or persons as now are or shall be interested in, or intituled unto, any part of the said now unsubscribed annuities or interests, after the said rate of four pounds *per centum per annum*, who are willing to accept of an annuity of three pounds ten shillings *per centum per annum* in lieu thereof, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty five; and of an annuity of three pounds *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, to the end the proprietors of the said annuities, after the said rate of four pounds *per centum per annum*, may make their subscriptions, and give their consents, in the said respective book or books, under a proper preface to be prepared for that purpose, by subscribing their respective sums and names, with his, her, or their respective proper additions; which said books shall constantly lie open at the said receipt of exchequer, and other the publick offices aforesaid, for that purpose, every day, (*Sundays* excepted) until the said thirtieth day of *May*, one thousand seven hundred and fifty inclusive, and no longer; and it shall and may be lawful to and for the proprietors of the said annuities of four pounds *per centum per annum*, or such person or persons, as he, she, or they have authorized, or shall respectively authorize and empower, by writing in that behalf, to subscribe or consent for them, in manner aforesaid, to have free access to the said respective books, at all seasonable hours, and they have hereby power to make their subscriptions, or give their consents, for the whole sum or sums due to them, or any of them, according to this act, without any fee or charge whatsoever; and the several and respective officers in the said receipt of exchequer, and other the publick offices

Officers to at-
tend in office
hours.

ces aforefaid, appointed to take in the faid fubfcriptions, or receive fuch confents, as aforefaid, fhall, during the time aforefaid, inftantly attend at the faid refpective offices for that purpofe, at fuch hours as bufinefs is ufually tranfacted at the faid feveral refpective publick offices; and the feveral and refpective officers at the faid receipt, and other the publick offices aforefaid, are hereby required to caufe publick notice thereof to be forthwith affixed in their refpective offices, and at the *Royal Exchange*, and alfo to publifh in the *London Gazette*, that fuch books are prepared and lie open in the faid refpective offices for receiving fuch confent, and taking fuch fubfcriptions, as aforefaid.

Notice to be published of the books being opened.

X. And be it further enacted by the authority aforefaid, That all and every perfon and perfons, bodies politick or corporate, who have or fhall, on or before the faid thirtieth day of *May*, one thoufand feven hundred and fifty, have fubfcribed, or given their confent in the book or books aforefaid, to accept of an intereft or annuity after the rate of three pounds ten fhillings *per centum per annum*, from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty, until the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five; and of an annuity of three pounds *per centum per annum*, to commence from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five, in lieu of their prefent annuities of four pounds *per centum per annum*, fhall have, receive, and enjoy, and they are hereby declared to be intitled to an annuity of three pounds ten fhillings *per centum per annum*, from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty, until the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five; and to an annuity of three pounds *per centum per annum*, from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five, receivable by parliament, in manner herein after mentioned; and the faid annuities of three pounds ten fhillings *per centum per annum*, and three pounds *per centum per annum*, and the principal or capital for which the fame fhall be payable, are hereby declared, and fhall be adjudged, taken, and accepted in contruction of law, and in all courts of law and equity whatfoever, to all intents and purpofes whatfoever, to be a perfonal and not a real eftate, and fhall go to the executors or administrators of the perfon or perfons dying poffeffed thereof, interefted therein, or intitled thereunto, and not to the heirs of fuch perfon or perfons; any law, ftatute, cuftom, or uſage to the contrary notwithstanding; and that the faid annuities fhall be free from all taxes, charges, and impositions whatfoever, in the ſame manner as they now are.

Subſcribers intitled to the feveral rates of intereft mentioned in this act.

Annuities to be a perſonal eftate,

and free from taxes.

XI. And it is hereby enacted and declared, That it fhall and may be lawful for all executors, administrators, guardians, truſtees, committees of the eftates of ideots or lunaticks, and the accomptant general of the court of chancery, and the deputy remembrancer of his Majeſty's court of exchequer, to make, or caufe to be made, fubfcriptions in the faid book or books,

Executors, &c indemnified for not ſubſcribing.

books, fignifying their confent to accept an intereft or annuity of three pounds ten fhillings *per centum per annum*, from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty, until the faid twenty fifth day of *December*, one thoufand feven hundred and fifty feven, and of an annuity of three pounds *per centum per annum*, to commence from the faid twenty fifth day of *December*, one thoufand feven hundred and fifty five, for and on the behalf of their refpective teftators, infants, minors, femes covert, ideots, or lunaticks, and the fuitors of the court of chancery, and of the faid court of exchequer, and others, for whom they are or fhall be refpectively intrufted; and fuch executors, administrators, guardians, trustees, committees, and accomptant general, and deputy remembrancer, are, and fhall be, by virtue of this act, indemnified in and for doing the fame.

Treafury to
defray the
charges of
this act.

XII. Provided always, and be it further enacted, That the commiffioners of the treafury, or any three or more of them now being, or the high treafurer, or any three or more of the commiffioners of the treafury for the time being, fhall have power, and they are hereby authorized, out of any money remaining in the receipt of the exchequer, of or for the duties, revenues, and incomes appropriated for the payment of the faid annuities of four pounds *per centum per annum*, to reward all fuch perfons as fhall be any ways employed in the execution of this act, in relation to the taking in fuch fubfcriptions, or receiving fuch confents as aforefaid, and to defray all fuch incident charges, as fhall neceffarily attend the execution of the faid act, in fuch manner as to them fhall feem juft and reafonable.

Funds appropriated for
payment of
the reduced,
and unfub-
fcribed an-
nuities.

XIII. And it is hereby alfo enacted by the authority aforefaid, That all the duties, revenues, and incomes which are now appropriated, fubject, or applicable to the payment of the faid annuities of four pounds *per centum per annum*, fhall, from and after the faid twenty fifth day of *December*, one thoufand feven hundred and fifty, be fubject and liable to the payment of fuch of the faid annuities of four pounds *per centum per annum*, as fhall not be fubfcribed, in cafe any fhall be unfubfcribed, and alfo of the faid reduced annuities of three pounds ten fhillings *per centum per annum*, and three pounds *per centum per annum*, in the fame manner, to all intents and purpofes, as the fame werè liable and fubject to the payment of the faid annuities of four pounds *per centum per annum*; and all the monies coming into the exchequer, of or for the feveral duties, revenues, and incomes, appropriated, fubject, or liable to the payment of the faid unfubfcribed annuities and of the faid reduced annuities of three pounds ten fhillings *per centum per annum*, and three pounds *per centum per annum*, which fhall be more than fufficient to anfwer and pay the faid refpective annuities, fhall, from and after the faid twenty fifth day of *December*, one thoufand feven hundred and fifty, be applied to the fame ufes, intents, and purpofes, and in the fame manner, as the feveral furpluffes, exceffes, or overplus monies of the faid duties, revenues, and incomes are now applicable.

XIV. Pro-

XIV. Provided always, and it is hereby enacted by the authority aforesaid, That from and after the said twenty fifth day of December, one thousand seven hundred and fifty five, the said reduced annuities of three pounds *per centum per annum*, shall and may be redeemed by parliament, upon giving the same notices, and making the same payments of principal money at a time to such persons or corporations as now are, or hereafter shall be, intitled to the said annuities, and of all arrearages of the said annuities, as are directed to be given and made by the several and respective acts, by which the said several annuities, after the rate of four pounds *per centum per annum*, were made payable, and from and after payment of any such principal money, to the said persons or corporations, as are or shall be intitled to the same, a proportional part of the said annuities shall cease and determine, and be understood to be redeemed; any thing in this or any former act or acts of parliament to the contrary in any wise notwithstanding.

CAP. XXIII.

An act to continue several laws for preventing the spreading of the distemper which now rages amongst the horned cattle; and for empowering his Majesty to prohibit the killing of cow calves.

CAP. XXIV.

An act for the encouragement of the British white herring fishery.

WHEREAS the carrying on, and improvement of, the British white herring fisheries, are of great importance to these kingdoms, as they may be of great advantage to the trade and navigation thereof, and may be a means of employing and providing for great numbers of industrious poor, provided the same could be carried on with a sufficient stock, under proper regulations, and that reasonable encouragements be given to such persons as are willing to carry on the said fisheries: therefore for the encouragement of such persons as are willing to carry on the said fisheries, and for the better regulation of the said trade, and for preventing frauds and impositions in the management thereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled and by the authority of the same, That it shall and may be lawful for his Majesty, his heirs and successors, by letters patent under the great seal of Great Britain, to incorporate the right honourable Sir Samuel Pennant lord mayor of the city of London; Sir James Lowther baronet, Sir Nathaniel Curzon baronet, Sir Bouchier Wrey baronet, Sir Walter Blacket baronet, Sir Ciril Wych baronet, Sir Richard Lloyd knight, Edward Vernon esquire, William Whitaker, Stephen Theodore Janssen, and Slingsby Bethell, esquires, aldermen of the city of London; lieutenant general Roger Handasyd, lieutenant general Richard Onslow, lieutenant general James Oglethorpe, Thomas Fonnereau esquire, Velters Cornewall esquire, William Willy esquire, George

His Majesty empowered to grant letters patent to incorporate the persons herein mentioned,

George Doddington esquire, *William Northey* esquire, *Charles Gray* esquire, *William Davis* esquire, *Edward Stevenson* esquire, *Paul Humsfrey* esquire, *John Edwards* esquire, *Francis Crasfeyne* esquire, Messieurs *Neufville* and *Schuman*, *Andrew Drummond* esquire, captain *George Steevens*, *Robert Crammond* esquire, *Jeffery French* esquire, Master *Michael Miller* of *Bristol*, Master *Robert Mackay*, Master *Jonathan Perry*, Master *Richard Baker*, Master *William Bowden*, *John Bance* esquire, Master *Peter Symond*, *Theodore Cock* esquire, *George Dunbar* esquire, *Taylor White* esquire, Master *John Patten*, Master

Clark of the *Old Jewry*, *Michael Wilkins Conway* esquire, *Archibald Stuart* esquire, *John Spenser* esquire, *Arthur Beardsly* esquire, Master *Roger Hogg* of *Basingball Street*, Master *William Crammond*, Master *Hutchinson Muir*, Master *Robert Scott*, Master *George Spence*, Master *Robert Cady*, *Richard Taunton* esquire, *William Belchier* esquire, *William Thornton* esquire, *Francis Gwyn* esquire, *Peter Delme* esquire, *Jonatban Watfon* esquire, *Thomas Salusbury* esquire, *Richard Gildart* esquire, *John Hardman* esquire, *Lawrence Dundas* esquire, *Thomas Curtis* esquire, *Michael Beecher* esquire, *Joseph Percival* esquire, *Edward Ironside* esquire, alderman of the city of *London*; *George Walker* esquire, and all and every person and persons, bodies politick and corporate, who, in their own right, or as executors, administrators, successors, or assigns, derived or to be derived from, by, or under, the original proprietors, at any time or times hereafter, shall have, and be intituled to, any part, share, or interest of or in the capital sum of five hundred thousand pounds herein after-mentioned, so long as they respectively shall have any such part, share, or interest therein, to be one body politick and corporate, in deed and in name, by the name of *The Society of the*

by the name
of The Society
of the free
British fishery;
for 21 years.

free British fishery; and by that name to have a succession to continue for the term of twenty one years, and to have a common seal, with power, from time to time, to chuse their governor, president, vice president, council, and other officers, in such manner, and under such qualifications, with regard to the electors, and elected, as shall be directed in such letters patent; the first governor, president, vice-president, and council, being qualified in the like manner as all subsequent governors, presidents, vice presidents, and council, shall, by the said letters patent, be directed to be qualified, and to continue in their respective offices for the space of three years, from the date of the said letters patent.

Society im-
powered to
make by-laws;

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, his heirs and successors, by the said letters patent of incorporation, to empower the said society to make by-laws from time to time, for the regulation and government of the said society; and for the regulation and management of the said trade and commerce which shall be carried on by them; and for the curing, sorting, and packing their white herrings in such manner, as effectually to secure the credit of the said commodities in foreign markets; and for the government of the servants, and others employed by the said society in the said fisheries.

III. And

III. And be it further enacted by the authority aforefaid, That and to direct
 fhall be lawful for the faid fociety, from time to time, to di- what feals or
 ft what feals or marks they fhall think proper to be put on all marks fhall be
 every barrel or cask of their fifh; and that if any perfon or put on every
 rfon whatfoever fhall counterfeit fuch feal or mark, or fhall barrel of fifh.
 rowingly affix fuch feal or mark, fo counterfeited, to any bar-
 l or cask of fifh not belonging to the faid fociety, fuch perfons Penalty of
 all forfeit and pay the fum of five hundred pounds for each counterfeiting
 fence, to be recovered by action, plaint, or information, in the fame.
 y of his Majefty's courts of record at *Westminter*, or in the
 ert of feflion in that part of *Great Britain* called *Scotland*, the
 ie moiety to be paid to the faid fociety, and the other moiety
 be paid to fuch perfon or perfons as fhall fue for the fame.

IV. And be it further enacted, That it fhall and may be law- The fociety
 l for his Majefty, his heirs and fucceffors, by his faid letters impowered to
 tent, to impower the faid fociety, by a voluntary fubfcription, raife a capital
 raife the fum of five hundred thoufand pounds; which faid of 500,000 l.
 m, when fo raifed, fhall be the capital ftock of the faid fo-
 ty; and to direct how the property of the perfons fubfcrib-
 g may be afcertained, transferred, and alienated.

V. And be it further enacted by the authority aforefaid, That
 fhall and may be lawful for his faid Majefty, his heirs and
 cceffors, by the faid letters patent, to impower the faid fociety,
 fuch part thereof, as fhall in the faid letters patent be for and to make
 at purpose named, to make calls, and direct the payment of calls for pay-
 y part of the faid fum of five hundred thoufand pounds, ment of the
 uich any perfon or perfons fhall fubfcribe towards carrying on fubfcriptions.
 : faid undertaking, at fuch times as the faid fociety, or fuch
 rt thereof as fhall be for that purpose named, fhall direct and
 point, fo as the firft payment directed to be made, fhall be The times of
 ide within the fpace of thirty days from the time of fuch sub- payment, and
 ption, and be after the rate of ten pounds by the hundred the fums.
 the whole fum fubfcribed, and fo as the fecond payment be
 er the rate of ten pounds by the hundred of the fum fubfcrib-
 ; and that the other payments be purfuant to the direction
 a general court of the faid fociety, which fhall be for that
 rpose afsembled, or a majority of them; and in cafe any per- The fociety
 r or perfons fhall refufe or neglect to pay any money which may fell the
 all be fo called for by the faid fociety, at the times when the fhare of thofe
 ne fhall be appointed to be paid, notice of fuch call being who refufe to
 ren in the *London Gazette* by the faid fociety at leaft thirty pay, after no-
 ys before the day appointed for fuch payment, it fhall be law- tice of call in
 the *Gazette*.
 for the faid fociety to fell and difpofe of fo much of the fhare
 ftock of the perfon or perfons fo neglecting or refufing, as
 all produce the fum which fuch perfon or perfons ought to
 ve paid on fuch call; provided that all fuch money which
 all be fo fubfcribed and directed to be paid, fhall be paid into
 e bank of *England*, on account of the faid fociety. Subfcriptions
 to be paid into
 the bank.

VI. And be it further enacted, That for an encouragement 31. per cent.
 fuch perfons as fhall become fubfcribers to the faid ftock for per annum,
 rrying on the faid fifheries, that the fum of three pounds by for the fums
 the employed in
 Vol. XX. F

the fishery to be paid to the society for 14 years.

the year, for each hundred pounds which shall be actually employed in the said fishery, and proportionably for any greater or lesser sum, shall be paid to the proprietors of the said stock, for and during the space of fourteen years from the date of the said charter, out of the customs, by the receiver general of his Majesty's customs, by equal half-yearly payments; and to the end it may be known, what sums shall from time to time be actually expended or employed by the said society in the said fishery, an account shall be delivered to the commissioners of his Majesty's customs of the sums which shall be so expended or employed; and the said account shall be produced by the accountant of the said society, who shall, if required by the commissioners, produce his vouchers, distinguishing the several articles in which the said sums shall be so expended or employed, which account shall be signed by three, at least, of the council of the said society, as an attestation that they have examined the said account, and believe the same to be just; and such account shall also be attested by the oath of the accountant of the said society, that he believes the same to be a just and true account; which oath shall be made before any two commissioners of his Majesty's customs (who are hereby impowered and required to administer the said oath) and shall be wrote at the foot of the said account; and the said oath and account shall be left in the custody of the commissioners, and thereupon they, or any three of the said commissioners, shall make order that payment be made by the receiver general of his Majesty's customs to the said society, or such person as shall be by them impowered to receive the same, after the rate aforesaid, for such sums as by such account shall appear to be so actually employed or expended by the said society, in or on account of the said fishery.

An account of the said sums to be given annually to the commissioners of the customs.

100,000l. to be employed in the fisheries within 18 months from the date of the subscription. The accounts to be laid before parliament.

Sums contracted to be paid in 6 months, deemed to be employed.

VII. Provided, and be it further enacted by the authority aforesaid, That the said society shall employ the sum of one hundred thousand pounds at least in the said fisheries, within the space of eighteen months after the date of such subscription; and that for the manifestation of the sums which shall be so employed by the said society, the accounts of the said society shall be annually laid before parliament; and if loss should arise by any year's adventure, and there should be gain by the succeeding years, the said gain shall be applied so as to complete and make good the vessels and fishing stock, to the full value of the said original sum of one hundred thousand pounds, before any dividend shall be made out of the said gain.

VIII. Provided always, and be it enacted by the authority aforesaid, That such sums as shall *bona fide* be contracted to be paid within six months, shall be deemed employed within the sense and meaning of this act, in case so much money of the said company as will be sufficient to answer the said contracts respectively, shall, at the time of making the same, be in the bank of *England*, and there remain for the purpose of paying the same; such contracts being in writing, and signed or executed in the presence of two witnesses.

IX. And

IX. And be it further enacted by the authority aforefaid, That no transfer fhall be made of any of the faid ftock or fhare of or in the faid five hundred thoufand pounds, for the fpace of five years from the date of the faid charter; but that the fame fhall be abfolutely void to all intents and purpofes whatfoever.

No transfer to be made of the ftock for five years.

X. Provided always, That it fhall and may be lawful for the executors and adminiftrators or devifees of any perfon or perfons who fhall happen to die poffeffed of, or interefted in any fuch ftock or fhare of or in the faid five hundred thoufand pounds, and alfo for the affignees under any commiffion of bankrupts, to tranfer fuch ftock or fhares, and difpofe of the produce thereof, in fuch manner, as they may by law difpofe of any other effects of fuch teftator, intefstate, or bankrupt.

Executors and affignees of bankrupts, &c. may tranfer.

XI. And be it further enacted, That as a further encouragement to all perfons whatfoever, as well bodies politick and corporate as others, and alfo the perfons who fhall be fo incorporated, to engage in the faid white herring fisheries, that a bounty of thirty fhillings *per ton* fhall be paid annually, out of fuch fums as fhall be produced out of his Majefty's cuftoms, to the owner or owners of all decked veffels, from twenty to eighty tons burthen, which fhall be built, after the commencement of this act, for the ufe of the faid fisheries, and fitted out and employed in the faid fisheries, whether by the faid fociety, or any other perfon or perfons whatfoever, in manner, and under the regulations herein after-mentioned.

30 s. *per ton* bounty to be paid out of the cuftoms, for decked veffels built for the fisheries.

XII. And be it further enacted, That every fuch buf or veffel, which fhall be employed in the faid white herring fisheries, by the faid fociety, or whose owners fhall be intitled to the bounty of thirty fhillings *per ton*, by virtue of this act, fhall be a decked buf or veffel, built in *Great Britain*, after the commencement of this act; and fhall proceed on the faid fishery from fome port in *Great Britain*, manned and navigated as by the law now in force is directed: and before fuch buf or veffel proceed on fuch voyage, or be intitled to the benefit of this act, fhall be vifited by fuch officer or officers of the cuftoms belonging to fuch port, who fhall be appointed by the commiffioners of the cuftoms to examine into fuch buf or veffel; and who fhall take an account of the tonnage thereof by admeafurement, and fhall certify fuch his or their vifitation, examination, and admeafurement, to the commiffioners of his Majefty's cuftoms, and that he hath on board fuch a quantity of fifhing nets, and other ftores to be ufed in the faid fishery, as herein after are mentioned, and otherwife is a proper veffel to be employed in the faid fishery: and, upon its further appearing by the oath of one or more owner or owners, or agent appointed by them, or of a proper officer or agent of the faid fociety (who fhall be appointed for that purpofe) and of the mafter or chief officer of fuch veffel, written at the foot of the faid certificate, and made before the collector and comptroller of fuch port, who are hereby impowered and required to adminifter the fame, That it is really and truly their firm purpofe and determined refolution,

Conditions of the bounty.

that fuch bufs or vefſel ſhall proceed reſpectively, ſo manned, furniſhed, and accoutred, either to *Brasſey's Sound* in *Shetland*, and be at the rendezvous of the ſaid fiſhery there, on or before the eleventh day of *June*, and ſhall not ſhoot or wet their net before the thirteenth day of the ſaid month of *June*, and ſhall continue following and fiſhing amongſt the ſhoals of herring, as they move ſouthward, to the firſt day of *October*, or ſhall proceed to *Campbell Town* in *Argyllſhire*, and be at the rendezvous of the ſaid fiſheries, on or before the firſt day of *September*, and ſhall continue fiſhing among the ſhoals of herring, as they move, to the thirty firſt day of *December*, unleſs they ſhall have ſooner completed their loading of fiſh; and ſhall fiſh in an orderly and regular manner, without impeding or obſtructing other veſſels which ſhall be employed in the ſaid fiſhery; and ſhall keep a journal of their proceedings, and an account of what quantities of fiſh they ſhall diſpatch away to foreign markets in their jagers or tenders, before they come into port, beſides the particular quantity they ſhall bring into port with them: and if, after ſuch certificate had, and oath made, ſuch owner or owners, or officer or agent of the ſaid ſociety, and maſter or chief officer of ſuch veſſel, as aforeſaid, do alſo become bound, with two ſufficient ſureties, unto his Maſteſty, his heirs and ſucceſſors, in the penalty of ſuch ſum as ſhall be equal to treble the bounty on the tonnage of his veſſel, intended by this act (which bond the collector, with the approbation of the comptroller, is hereby required to take, and is to be in force for the ſpace of three years, againſt the maſter and his ſureties) for the faithful dealing of his ſaid maſter, and ſhip's company, in regard to the ſaid veſſel and voyage; then and in ſuch caſe, it ſhall and may be lawful for the collector and comptroller of ſuch port to give and grant, and they are hereby required to give and grant to the maſter and owners of ſuch bufs or veſſel, full licence and authority to proceed on ſuch voyage as aforeſaid.

How every
veſſel em-
ployed in the
fiſhery ſhall
be qualified,
&c.

XIII. And to prevent any diſputes which may ariſe, whether a veſſel be properly qualified and duly fitted out for the herring fiſhery, according to the true intent and meaning of this act, and intituled to a certificate from the cuſtom-houſe officers; it is hereby enacted, That every ſuch veſſel ſhall be a decked veſſel, built in *Great Britain*, after the commencement of this act, and ſhall have on board twelve *Wincheſter* buſhels of ſalt for every laſt of fiſh, which ſuch veſſel is capable of holding, which ſalt ſhall be barrelled up in new barrels, and as many more new barrels as ſuch bufs or veſſel is capable of carrying, and ſhall have two fleets of tanned nets, proper for the herring fiſhery; that is to ſay, That every ſuch bufs or veſſel of the burthen of ſeventy tons, and deſigned for this fiſhery, ſhall on her proceeding to ſea, have on board one fleet of fifty nets, each net to be thirty yards full upon the rope, and ſeven fathoms deep, and ſo in proportion for any veſſels of a greater or leſſer tonnage, and be provided with one other fleet of fifty like nets, on board a jag-
ger

nder, which is to attend the faid fishery, or left on a proper place, for the use of the faid bus or vessel.

And be it further enacted, That every such vessel of Vessels of 20 tons to have on board 6 men, &c. ons, which shall be employed in the faid fishery, shall board at such of the places aforementioned, as shall be f for their rendezvous, not less than six men, and every greater burthen, shall, over and above the six men a have one for every five tons which she shall exceed ons.

and be it further enacted by the authority aforesaid, That Officer of the return of such vessel into any port of *Great Britain*, for customs to go on board everyarge, the chief officer of the customs, or such other vessel at her the customs as he shall appoint at such port, shall im- return; who is to certify the repair on board such vessel, and view the condition of tonnage, and el and her lading, and certify the same, together with names of the master, &c. servations thereon, and also the real tonnage of the faid The master to essel, and the faid officers are also to take an account make oath, mes of the master and other persons on board, and to e same; and the master shall make oath before the col- that his vessel d comptroller of such port (who are hereby impowered was at one of the places be- ired to administer the same) which shall be wrote on fore mention- ed. of, or annexed to the licence granted as aforesaid, and ey are hereby required to deliver up, and what they did

once thereof, that such vessel was at one of the places entioned, at the time appointed by this act, and has been on any other voyage, or pursued any other design of profit, and that they did remain fishing according to tion of this act, and had at the time of their rendez- quantity of nets and other stores, and number of men efore directed to be on board the faid vessel and jagger r, or left on shore as aforesaid; all which certificate, Certificate, licence, and oath, together with the account of the &c. to be a by the faid vessel, shall be transmitted by the collector transmitted to the commif- ptroller of such port, to the respective commissioners for sioners from of *Great Britain*, from whence the bus or vessel de- whence the with her licence; and such commissioners being fully fa- vessel depart- ed; the faithful dealings of the master, and other persons d in such vessels, with respect to such voyage and fish- who are to l, on demand, cause payment to be made to the owner cause payment rs, or to his or their assigns, by the receiver general of to be made of oms, the sum of thirty shillings *per* ton, according to the 30 s. *per* ton. rement of such vessel, duly certified as aforesaid.

Provided always, That such bounty of thirty shillings Bounty of 30s. aforesaid, shall be paid yearly, during the space of four- *per* ton to be paid yearly for rs, from the commencement of this act, and no longer, 14 years. nforming to the regulations of this act.

Provided also, That nothing in this act shall be con- This act not extend to exclude any of his Majesty's subjects, who to exclude any be members of the faid society, or employed by them, of his Maje- ty's subjects. sing or carrying on the white herring and cod fisheries,

and any other whatsoever, in such manner as they might have done, in case this act had never been made.

XVIII. *And whereas the encouragement above-mentioned ought to be extended, as far as may be, to all the subjects of Great Britain: and whereas the supporting and enriching the cities and towns, being ports, will be for the security and good of the realm, by augmenting the navigation, and strengthening the sea coasts:* be it therefore enacted,

Persons sub-
scribing
10,000l. under
the name of
*The Fishing
Chamber,*

That any number of persons, who shall subscribe ten thousand pounds, or upwards, into the stock of the said society, and shall carry on the said fishery under their own management, and on their own account of profit and loss, conformably nevertheless to the directions of this act, and of the said intended charter, except as to their being obliged to use the marks of the said society, and from the port named by them, if they do subscribe under the name of *The Fishing Chamber* of such city, town, or

who shall send
their accounts
to the society
of London,

port respectively; and shall send their account of monies expended in the said fisheries, which account shall be attested by three of the committee, to be appointed by the majority of such subscribers, for managing the matters of the said chamber, and be also signed by a person to be appointed by the majority of such subscribers, to be the accomptant of the said chamber, who shall make oath before one of his Majesty's justices of the peace, that he verily believes the same is a true account, the vouchers whereof he shall produce, if required; the said account shall be transmitted to the governor and council of the said society at London; and the accomptant of the said society at London shall be impowered, and is hereby required to enter the same, as a sum expended in the said fisheries, by the said society, in the account which he shall deliver in to the commissioners of the customs, as aforesaid; and the said chamber shall be intitled to, and receive yearly, three pounds for every hundred pounds, in the same manner as the society do for any other monies employed in the fishery by the said society, after deducting the necessary charges and expences arising from the receipt of the same.

shall be inti-
tled to 3l.
per cent. per
annum.

*Fishing Cham-
bers* not to
have any pro-
fit, &c. from
the trade of
the society.

Receiver ge-
neral to pay
yearly 3l. per
cent. to the
society in
London, who
are to pay
over the same
to the respec-
tive *Fishing
Chambers.*

XIX. Provided also, That such chambers which shall so trade or fish on their own account, shall not have any profit or loss arising from the trade of the said society.

XX. Provided always, That the receiver general of his Majesty's customs shall pay yearly the said sum of three pounds for every hundred pounds, unto the said society in London, or to such person or persons, as shall be by them impowered to receive the same; and the said society shall pay over the said yearly sum of three pounds for every hundred pounds, deducting thereout the necessary charges of receiving the same, unto the respective fishing chambers intitled thereto, or to such person or persons as shall, by the said chambers respectively, be impowered to receive the same.

CAP. XXV.

act for making good a deficiency upon the revenue of the office of keeper or clerk of the Hanaper, and for preventing any future deficiency therein, to answer the publick services provided for out of the same; and for augmenting the income of the office of master or keeper of the rolls.

HEREAS by an act of parliament made and passed in the 12 Geo. 1. c. 33. twelfth year of the reign of his late majesty King George the first, intituled, An act for relief of the suitors of the high court of chancery; after reciting (amongst other things) That Fleetwood mer, and John Borrett, esquires, both deceased, formerly masters of the said court, and Richard Godfrey, and Edward Conway, then masters of the same court, had been deficient in answering the money and effects ordered by the court into their hands, and by deficiency, after deducting what should be made and produced of the estates and effects of the said deficient masters, and the sum of thirty thousand pounds given by his Majesty, on the address of the commons, towards the relief of the said suitors, amounted, according to the then computation, to the sum of fifty one thousand eight hundred and fifty one pounds, nineteen shillings, and eleven pence farthing, and several other claims on the offices of four of the said deficient masters remaining, and which, if allowed, would greatly increase the deficiency; it was, for the relief of the said suitors, and making provision for payment of their just debts and demands, enacted, That should be raised, collected, and paid, throughout England, the town of Wales, and the town of Berwick upon Tweed, for the space of sixteen years, from the second day of August, one thousand seven hundred and twenty six, for every piece of vellum, parchment, paper, upon which any original writ (except such original on which a writ of Capias issues) Subpoena, bill of Middlesex, Latitat, writ of Habeas Corpus, Quo minus, writ of Dedimus Potestatem to take an examination, examine witnesses, or appoint guardians, or any other writ whatsoever, or any other process or mandate that should issue out of, under the seals of any of the courts at Westminster, courts of great sessions in Wales, courts in counties palatine, or any other court whatsoever, holding plea where the debt or damage doth amount to forty shillings, or above, or the thing in demand is of that value, should be levied or written (writs of covenant for levying fines, writs of summons for suffering common recoveries, and writs of Habeas Corpus, excepted) the sum of six pence; for every piece of vellum, parchment, or paper, upon which any entry of any action in the mayor's court, or the sheriffs courts of London, and in courts in all corporations, and courts whatsoever, out of which no writs, process, or mandates should issue, holding plea where the debt or damage doth amount to forty shillings, or above, should be ingrossed or written, the sum of six pence; for every piece of vellum, parchment, or paper, upon which should be ingrossed or written any citation or monition made in any ecclesiastical court, the sum of six pence; and the said sums and duties so to be levied and collected, were thereby appointed to be under the direction

9 Geo. 2. c. 32.

tion and management of the commissioners of the stamp duties; and such provision was made for the levying, receiving, and enforcing the payment of the same, as in the said act is mentioned, expressed, and provided in that behalf: and it was thereby enacted, That the money thereby to be raised and collected, should be paid into the bank of England; and the said court of Chancery was thereby impowered to borrow any sum of money upon the fund thereby granted, not exceeding in the whole the sum of sixty thousand pounds: and it was thereby also enacted, That all the money then deposited, or thereafter to be deposited in the bank, on account of the suitors of the said court of Chancery, or by order of the said court, and all the monies arising by the rates and duties given by the said act, or borrowed thereon, and paid into the bank, should be accounted and taken to be one common and general cash, and should be promiscuously issued and issueable when and as the court of Chancery should direct, for the answering, paying, and clearing the debts and demands of any of the suitors of the said court: and whereas by another act of parliament made in the ninth year of the reign of his present Majesty, intituled, An act for continuing, for the purposes therein mentioned, the additional duties upon stamped vellum, parchment, and paper, laid by an act passed in the twelfth year of the reign of his late majesty King George the First, after taking notice of the said former act, and that upon stating the total deficiency of the said four masters, and the produce of the fund made liable to, and appropriated for payment of the same, it appeared that the deficiency standing out on the eighth day of March, one thousand seven hundred and thirty five, on the effect of the said four masters, was reduced to the sum of twenty four thousand eight hundred ninety one pounds, nine shillings, and ten pence; and that there was due from John Bennett esquire, one other of the masters of the said court of Chancery, to Humphry Bell a suitor of the said court therein mentioned, the sum of eleven thousand four hundred eighty five pounds, four shillings, and five pence, with interest; and that the said John Bennett had no estate or effects left to satisfy the said debt, or any part thereof; and that it was computed that the duties granted by the former act, would not be sufficient to raise the said two sums of twenty four thousand eight hundred ninety one pounds, nine shillings, and ten pence, and eleven thousand four hundred eighty five pounds, four shillings, and five pence, unless the said duties were farther continued, and the time for raising the same enlarged, it is enacted, That the said duties granted by the said former act, should be continued, and be payable and paid upon the several writs and law proceedings therein mentioned, for the farther term of four years, to be computed from the second day of August, one thousand seven hundred and forty two; and that out of the money which had arisen, and been collected by and out of the duties directed to be levied by the said former act, the said sum of eleven thousand four hundred eighty five pounds, four shillings, and five pence, should be issued and paid out of the general and common cash of the bank, when and as the said court of Chancery should direct, in satisfaction of the said debt due from the said John Bennett, as aforesaid: and it is thereby provided, enacted, and declared, That when and as soon

deficiency of the fuitors money thereby, and by the said former directed and appointed to be answered and paid, and all money to be borrowed on the credit of the same, if necessary, should have been paid and satisfied; then, and from thenceforth, all the surplus which should have been raised out of the said duties, given, sold, and continued by the said above-mentioned acts, over and above what should be sufficient for answering such deficiency, and what should be reserved for the benefit of the publick, and should not be applied to any other use or uses than such as should be thereafter directed by parliament: and whereas the said deficiency, and all the money provided and directed to be paid by the said former acts, or any of them, by and out of the fund thereby appropriated for that purpose, have been fully paid and satisfied, and there now remains in the bank of England as a surplus of the said fund unapplied, the sum of thirteen thousand six hundred ninety eight pounds, one shilling, seven pence, subject to the disposition of parliament: and whereas the office of keeper or clerk of the Hanaper in Chancery is a very ancient office, held and enjoyed by grant from his Majesty's royal predecessors, Kings and Queens of this realm; and the yearly revenue thereon consisting of several certain yearly rents or sums, reserved upon lands made by the crown of the several offices, commonly called the Exchequer or Green Wax Office, the Alienation Office, and the Sixty Writ Office, in Chancery (the grant of which last-mentioned office is now expired and determined) and also of fees paid upon writs, commissions, and other patents passing under the great seal, which are uncertain and contingent, hath constantly been issued and paid in and for the payment of several ancient fees, salaries, and allowances, belonging to the lord chancellor, or lord keeper of the great seal, the master of the rolls, the masters in Chancery, clerk of the records, and other officers attending the parliament and great seal, and of several bills and disbursements always paid and allowed out of the revenues of the Hanaper office: and whereas the office of master of the rolls, is an office of great trust and consequence to the publick, and the revenue belonging thereto is not adequate to the dignity, and importance of the said office: and whereas the revenue of the said office of the Hanaper, hath not for several years last past been sufficient to answer and pay the several fees, salaries, allowances, and disbursements, issuing and payable out of the said office; and there remained due and in arrear, at Michaelmas, one thousand seven hundred and forty nine, to the several persons claiming intitled to such fees, salaries, allowances, and disbursements respectively, several sums of money, amounting together to the sum of one thousand five hundred ninety pounds, twelve shillings, and eleven pence; and as the revenue of the Hanaper office will, in all probability, still continue to be deficient, not only the present debt upon the said office will be lost, but the services to which the same for the future are to be applied, will remain unprovided for: wherefore, and in order to make a provision for the payment of the said debt, arrears incurred upon the Hanaper office; be it enacted by King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this

Out of the sum
of 13,698 l.
18. 11d. sur-
plus unappli-
ed,

10,590 l. 12s.
11d. is to be
paid to the
creditors of
the Hanaper,
as the court
of Chancery
shall direct.

Certificates of
the draughts
for payment
to be transmit-
ted to the clerk
of the Hana-
per, &c.

Certificates to
be filed, and
the vouchers
delivered to
the auditor.

Duties payable
upon writs,
&c. granted
by 12 Geo. 1.
continued for
ever;

this present parliament assembled, and by the authority of the same, That out of the said sum of thirteen thousand six hundred ninety eight pounds, one shilling, and eleven pence, now remaining in the bank of *England*, as the surplus unapplied, of the fund given and granted by the said former acts of parliament, for the purposes therein mentioned, and so reserved for the disposition of parliament as aforesaid, there shall be issued and paid such sums of money, not exceeding in the whole the said sum of ten thousand five hundred and ninety pounds, twelve shillings, and eleven pence, herein before-mentioned, to be due and in arrear at *Michaelmas*, one thousand seven hundred and forty nine, to the creditors upon the office of keeper or clerk of the *Hanaper* as aforesaid, when, and as the court of *Chancery* shall order and direct, in satisfaction of the said debt, and arrears to the several persons intitled to the same respectively; and as often as the accomptant general of the said court shall, in pursuance of any such order of the said court, give a draught upon the bank of *England*, for any of the said debts or arrears, certificates thereof from the said accomptant general (which certificates he is hereby required to make without fee or reward) shall be transmitted to the keeper or clerk of the *Hanaper*, together with proper vouchers of the payment of the said debts and arrears, specifying to whom such payments shall have been made, and to what time the same shall extend, to the end the same may be brought into the account of the keeper or clerk of the *Hanaper*, to be by him passed before one of the auditors of the said revenue; and all such certificates shall, from time to time, be filed in the said office of keeper or clerk of the *Hanaper*, and the vouchers to be transmitted therewith, are to be delivered over to the said auditor

II. And your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, being desirous to provide for and supply any future deficiency of the income and revenue of the said *Hanaper* office, to answer the several services aforesaid, and to discharge the several fees, salaries, and allowances, issuing and payable out of the said revenue; and being also desirous to augment the revenue of the office of master or keeper of the rolls; do give and grant unto your Majesty, for the purposes aforesaid, the several duties granted by the said first recited act, upon the several writs and law proceedings therein mentioned, to be respectively applied and disposed of, in the manner, and for the purposes herein after-mentioned, expressed, and declared; and therefore do most humbly beseech your Majesty, that it may be enacted; and be it further enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said duties granted by the said act of the twelfth year of the reign of his late Majesty, for the term of sixteen years, and continued by the said act of the ninth year of the reign of his present Majesty, for the farther term of four years, ever;

and which expired in the month of *Auguſt*, one thouſand ſeven hundred and forty ſix, ſhall be, and the ſame are hereby revived, and ſhall by virtue of this act be payable and paid upon the ſeveral writs and law proceedings in the ſaid former acts mentioned, from the twenty fourth day of *June*, which ſhall be in the year of our Lord one thouſand ſeven hundred and fifty, for ever; and that all the penalties, powers, remedies, provisions, and directions in the ſaid former acts provided and contained, for and concerning the raiſing, levying, collecting, ſecuring, and managing the ſame, and defraying the expences thereof, ſhall be revived, and be, from time to time, and at all times from thenceforth, applied, exerciſed, practiſed, and executed, as fully to all intents and purpoſes, as if the ſame had been or were in this act repeated, and again particularly enacted.

to commence
from 24 June,
1750.

III. And it is hereby further enacted by the authority aforeſaid, That all and every the officer and officers, who ſhall be concerned in the raiſing, levying, collecting, receiving, managing, and applying the duties ariſing by virtue of and under this act, ſhall and do keep ſeparate and diſtinct accounts thereof, and pay the ſame into the receipt of his Maſteſty's exchequer at *Weſtmiſter*, weekly on every *Wednesday*, unleſs it be an holy-day; and in that caſe on the next day after which ſhall not be an holy-day.

Officers to
keep diſtinct
accounts of
the duties,
and to pay the
ſame into the
exchequer
weekly.

IV. And be it further enacted by the authority aforeſaid, That there ſhall be provided and kept in the ſaid exchequer a book or books, wherein a ſeparate and diſtinct account of all the money to be paid in weekly in purſuance of this act, ſhall be entered and kept, and that out of the money ariſing and to be produced, by and from the duties granted by this act, and hereby directed to be paid into the ſaid receipt of exchequer as aforeſaid, there ſhall be iſſued and paid unto the keeper or clerk of the *Hanaper* office for the time being, or his deputy, a yearly ſum not exceeding the ſum of three thouſand pounds of lawful money of *Great Britain*, by equal half-yearly payments, at or on the twenty fifth day of *March*, and twenty ninth day of *September*, in every year, the firſt payment thereof to begin and to be made, at or on the twenty ninth day of *September*, which will be in the year of our Lord one thouſand ſeven hundred and fifty (for the iſſuing of which yearly ſum, no fee or gratuity whatſoever ſhall be demanded or taken) and that the receipt or receipts of the keeper or clerk of the *Hanaper* for the time being, or his deputy, ſhall from time to time, be a ſufficient and effectual diſcharge for the ſame.

Books to be
kept for enter-
ing the monies
ariſing by the
duties.

3,000l. to be
paid yearly
out of the
ſame to the
clerk of the
Hanaper,
half-yearly.

V. And be it further enacted, That the reſidue of the ſaid thirteen thouſand ſix hundred ninety eight pounds, one ſhillings, and eleven pence, ſurplus caſh in the bank of *England*, after ſatisfaction of the ſaid debt, due from the keeper or clerk of the *Hanaper* in *Chancery*, at *Michaelmas* one thouſand ſeven hundred and forty nine, as aforeſaid, ſhall be placed out at intereſt on government ſecurities, under the direction of the ſaid court of *Chancery*, in the name and with the privity of the accomptant general

Reſidue to be
put out at in-
tereſt, on go-
vernment ſe-
curities;

the intereſt to be paid to the clerk of the Hanaper.

general of the ſaid court, and placed to the account of the keeper or clerk of the *Hanaper* in *Chancery*, and that the intereſts or dividends, and yearly proceed ariſing therefrom, be, from time to time, paid to the keeper or clerk of the *Hanaper* for the time being, or his deputy, in order to be applied in aid of the ſaid revived duties, to make good the ſaid annual ſum of three thouſand pounds, granted to his Maſteſty out of the ſaid duties as aforeſaid, and that the receipt or receipts of the keeper or clerk of the *Hanaper* for the time being, or his deputy, ſhall, from time to time, be a ſufficient and effectual diſcharge for the ſame.

The ſaid yearly ſums and intereſt, to be accounted for as part of the revenue of the Hanaper;

and 1,200 l. to the maſter of the rolls.

Clerk of the Hanaper to account for ſurpluſſes.

VI. And it is hereby further enacted, That the ſaid yearly ſum of three thouſand pounds, ſo to be paid to, and received by the keeper or clerk of the *Hanaper* for the time being, or his deputy as aforeſaid, and alſo the yearly intereſt, dividends, and proceed, which ſhall ariſe or be produced from the ſurplus caſh in the bank of *England*, as aforeſaid, ſhall, from time to time, as the ſame ſhall come in and be received, be iſſued, paid, applied, and accounted for, together with and as part of the ordinary income and revenue of the *Hanaper* office, to and for ſuch and the ſame ends, intents, and purpoſes, and in ſuch and the ſame manner, as the income and revenue of the ſaid office hath, from time to time, been iſſued, paid, applied, and accounted for; and alſo for the payment of the yearly ſum of twelve hundred pounds, to the maſter or keeper of the rolls for the time being, by equal half-yearly payments, at or on the twenty fifth day of *March*, and the twenty ninth day of *September* in every year, the firſt payment thereof, to begin and be made at or on the twenty ninth day of *September*, which will be in the year of our Lord one thouſand ſeven hundred and fifty.

VII. And be it further enacted, That in caſe the yearly income and revenue of the ſaid office of keeper or clerk of the *Hanaper* augmented by virtue of this preſent act, ſhall, at any time or times hereafter be more than ſufficient to answer and pay the ſaid yearly ſum of twelve hundred pounds to the maſter or keeper of the rolls for the time being, and alſo the ſeveral fees, ſalaries, and allowances paid and payable out of the ſame as aforeſaid, then, and in ſuch caſe, the ſaid keeper or clerk of the *Hanaper* for the time being, ſhall be accountable for ſuch overplus, and upon a certificate thereof from one of the auditors of the impreſt (which certificate ſuch auditor is hereby authorized and required, from time to time, in every ſuch caſe, to make and tranſmit to the lord high treaſurer, or commiſſioners of the treaſury for the time being) ſuch overplus ſhall, from time to time, as often as it ſhall ſo happen, be carried on to the account of the ſubſequent year of the ſaid keeper or clerk of the *Hanaper*, who ſhall ſtand charged therewith, in ſuch ſubſequent account, and only ſo much of the ſaid yearly ſum of three thouſand pounds ſhall be paid to the ſaid keeper or clerk of the *Hanaper*, or his deputy, for and towards the next ſubſequent payment or payments,

ments, as with fuch overplus to be afcertained by fuch certificate as aforefaid, will be fufficient to answer and pay the faid yearly fum of twelve hundred pounds to the mafter or keeper of the rolls for the time being, and the feveral fees, falaries, and allowances paid and payable out of the fame.

VIII. And it is hereby further enacted, That in cafe the yearly income and revenue of the faid office of keeper or clerk of the *Hanaper*, augmented by virtue of this prefent act as aforefaid, fhall, at any time or times hereafter, fall fhort or prove deficient to answer and pay the faid yearly fum of twelve hundred pounds, to the mafter or keeper of the rolls for the time being, and the feveral fees, falaries, and allowances paid and payable out of the fame as aforefaid, then and in fuch cafe, from time to time, as it fhall fo happen, it fhall and may be lawful to and for the lord high treafurer, or commiffioners of the treasury, or any three of them for the time being, out of any money that is or fhall be in the exchequer, that hath arifen or fhall arife, by and from the faid revived duties granted and directed to be paid by this act, not otherwife applied by parliament, to direct fuch fum and fums of money not exceeding what fhall have been faved in former years, by lefs having been paid to the faid keeper or clerk of the *Hanaper* or his deputy, than the annual fum of three thousand pounds as aforefaid, to be iffued and paid unto the keeper or clerk of the *Hanaper* for the time being, or his deputy, as fhall be neceffary for the answering and fupplying fuch deficiency, fo from time to time happening, to be afcertained by a certificate from one of the auditors of the impreft, to be directed to the lord high treafurer or commiffioners of the treasury in that behalf, in the manner aforefaid, and that the receipts of fuch keeper or clerk of the *Hanaper* or his deputy, fhall be a good and fufficient difcharge for all fuch fum and fums of money as fhall be fo iffued and paid as aforefaid.

Deficiencies in the Hanaper office, how to be made good.

IX. Provided always, and it is hereby enacted and declared, That in cafe the faid revived duties, and the intereft or yearly proceed of the faid furplus cash in the bank of *England*, fhall in any one year produce lefs, and in another more than the fum of three thousand pounds, then, and in fuch cafe, from time to time, as it fhall fo happen, it fhall and may be lawful to and for the lord high treafurer, or commiffioners of the treasury, or any three of them, for the time being, to order fuch deficiencies to be made good out of fuch furplufes, fo as the whole money to be iffued, paid, and applied to the keeper or clerk of the *Hanaper* or his deputy, out of the faid monies arifing from the faid revived duties, and the intereft and yearly proceed of the faid furplus cash in the bank of *England*, do not one year with another, exceed the yearly fum of three thousand pounds, defigned to be provided for the faid office by this act.

Deficiencies of one year to be made good out of the furplufes of another year.

X. And it is hereby further enacted, That all the refidue and furplus of the money arifing by the duties and other provifions, given, granted, made, or directed by this act, which fhall, from time to time remain after, and fhall not be iffued and applied

The furplus of the duties to be difpofed of by parliament.

in

in and for the payment of the ſeveral yearly and other ſums of money hereby directed to be iſſued and paid as aforeſaid, ſhall be, and the ſame is hereby reſerved for the benefit of the publick, and ſhall not be applied to any other uſe or uſes, than ſuch as ſhall be hereafter directed by parliament.

C A P. XXVI.

An act to continue ſeveral laws for the better regulating of pilots, for the conducting of ſhips and veſſels from Dover, Deal, and Iſle of Thanet, up the rivers of Thames and Medway; and for permitting rum or ſpirits of the Britiſh ſugar plantations to be landed before the duties of exciſe are paid thereon; and to continue and amend an act for preventing frauds in the admeaſurement of coals within the city and liberty of Weſtmiſter, and ſeveral pariſhes near thereunto; and to continue ſeveral laws for preventing exactions of occupiers of locks and wears upon the river Thames weſtward; and for aſcertaining the rates of water carriage upon the ſaid river; and for the better regulation and government of ſeamen in the merchants ſervice; and alſo to amend ſo much of an act made in the firſt year of the reign of King George the Firſt, as relates to the better preſervation of ſalmon in the river Ribble; and to regulate fees in trials at aſſizes, and Niſi Prius, upon records iſſuing out of the office of pleas of the court of Exchequer; and for the apprehending of perſons in any county or place, upon warrants granted by juſtices of the peace in any other county or place; and to repeal ſo much of an act made in the twelfth year of the reign of King Charles the Second, as relates to the time during which the office of exciſe is to be kept open each day, and to appoint for how long time the ſame ſhall be kept open upon each day for the future; and to prevent the ſtealing or deſtroying of turnips; and to amend an act made in the ſecond year of his preſent Maſteſty, for better regulation of attornies and ſolicitors.

WHERE AS the laws herein after-mentioned (which have by experience been found uſeful and beneficial) are near expiring; may it therefore pleaſe your Maſteſty, that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority
 3 Geo. 1. c. 13. of the ſame, That an act made in the third year of the reign of his late Maſteſty, intituled, *An act for the better regulating of pilots for the conducting of ſhips and veſſels from Dover, Deal, and Iſle of Thanet, up the river of Thames and Medway; which was to*
 continue

continue in force for ſeven years, and from thence to the end of the then next ſeſſion of parliament; and alſo a clauſe for further regulating the pilots of *Dover*, *Deal*, and the *Iſle of Thanet*, 7 Geo. 1. c. 21. in an act paſſed in the ſeventh year of the reign of his late Ma-^{ty}. 14. eſty, which was to be in force during the continuance of the ſaid act of the third year of his ſaid late Maſteſty's reign; which ſaid act, together with the ſaid clauſe, were, by an act made in 10 Geo. 1. c. 17. the tenth year of the reign of his ſaid late Maſteſty, continued in force for the further term of eleven years, and from thence to the end of the then next ſeſſion of parliament; and which ſaid 8 Geo. 2. c. 21. act, together with the ſaid clauſe, were, by an act made in the eighth year of his preſent Maſteſty's reign, further continued until the twenty fifth day of *March*, one thouſand ſeven hundred and forty nine, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame are hereby further continued, from the expiration thereof, until the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty four, further continued to 25 and from thence to the end of the then next ſeſſion of parliament, 1764. March, 1764. ment.

II. And be it further enacted by the authority aforeſaid, That Part of 15 Geo. ſo much of an act made in the fifteenth and ſixteenth years of 2. c. 25. relating to the landing of rum, &c. before payment of the duties, as his preſent Maſteſty's reign, intituled, *An act to impower the importers or proprietors of rum or ſpirits of the Britiſh ſugar plantations to land the ſame before payment of the duties of exciſe charged thereon, and to lodge the ſame in warehouses at their own expence; and for the relief of Ralph Barrow in reſpect to the duty on ſome rock ſalt loſt by the overflowing of the rivers Weaver and Dane*, as relates to the landing of rum or ſpirits of the *Britiſh ſugar plantations*, before payment of the duties of exciſe, and to the lodging of the ſame in warehouses at the expence of the importers or proprietors thereof; which was to continue in force until the twenty ninth day of *September*, one thouſand ſeven hundred and forty nine, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued, from the expiration thereof, until the twenty ninth day 29 Sept. 1757. of *September*, one thouſand ſeven hundred and fifty ſeven, and from thence to the end of the then next ſeſſion of parliament.

III. And be it further enacted by the authority aforeſaid, That in an act made in the nineteenth year of the reign of his preſent Maſteſty, intituled, *An act more effectually to prevent the frauds and abuſes committed in the admeaſurement of coals within the city and liberty of Weſtmiſter, and that part of the duchy of Lancaſter adjoining thereto, and the ſeveral pariſhes of Saint Giles in the Fields, Saint Mary le Bon, and ſuch part of the pariſh of Saint Andrew Holborn, as lies in the county of Middleſex*, which was to continue in force from the twenty fourth day of *September*, one thouſand ſeven hundred and forty ſix, for the term of three years, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued, from 24 Dec. 1750. the expiration thereof, until the twenty fourth day of *December*, 24 Dec. 1750. Farther continued by 24 Geo. one 2. c. 57. l. 12.

one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament.

IV. *And whereas by the said act no penalty is laid either upon the principal land coal-meters, in case they shall neglect to station the labouring coal-meters at all the several wharfs within the limits described in the said act, or upon the said labouring coal-meters, in case they shall neglect to attend and perform their duty at such wharfs as in the said act is directed:* for remedy whereof, be it enacted by the authority aforesaid, That if the said principal land coal-meters, or either of them, shall neglect to station labouring coal-meters at all the said respective wharfs, on the days, and at the times, which by the said act are specially directed, such principal land coal-meters, or either of them, so neglecting, shall, for every such offence, forfeit the sum of ten pounds; and if any labouring coal-meter or coal-meters so stationed by the principal land coal-meter or coal-meters at any wharf, as aforesaid, shall not attend and perform his or their duty, at the time, and in such manner, as by the said act is specially directed, such labouring coal-meter or coal-meters shall, for every such offence, forfeit the sum of forty shillings; which said several penalties of ten pounds, and forty shillings, shall be recovered, levied, and applied, in the like manner as any other penalty is directed to be recovered, levied, and applied by the said act.

V. And be it further enacted by the authority aforesaid, That an act made in the third year of the reign of his present Majesty, intituled, *An act for reviving and amending an act made in the sixth and seventh years of the reign of his late majesty King William the Third, intituled, An act to prevent exactions of the occupiers of locks and weirs upon the river Thames westward; and for ascertaining the rates of water carriage upon the said river; which was to continue in force from the first day of May, one thousand seven hundred and thirty, for the term of nine years, and from thence to the end of the then next session of parliament; and which, by another act made in the thirteenth year of the reign of his present Majesty, was further continued until the first day of June, one thousand seven hundred and forty seven; and which, by another act made in the twentieth year of the reign of his present Majesty, was further continued until the first day of June, one thousand seven hundred and forty nine; and which, by another act made in the twenty second year of the reign of his present Majesty, was further continued until the first day of June, one thousand seven hundred and fifty, shall be, and the same is hereby further continued from the expiration thereof, until the first day of June, one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament.*

VI. And be it further enacted by the authority aforesaid, That an act made in the second year of his present Majesty's reign, (intituled, *An act for the better regulation and government of seamen in the merchants service*) which was to be in force for five years, from the twenty fourth day of June, one thousand seven hundred

Penalty on the principal land coal meters, not stationing labouring coal-meters; and on the labouring coal-meters not attending.

3 Geo. 2. c. 11.

13 Geo. 2.
c. 18.

20 Geo. 2.
c. 47.

22 Geo. 2.
c. 46.
continued to
1 June, 1751.
E X P. See

24 Geo. 2. c. 8.

2 Geo. 2. c. 36.

hundred and twenty nine, and from thence to the end of the then next session of parliament, and which act was by an act made in the eighth year of the reign of his present Majesty, further continued until the twenty fifth day of *March*, one thousand seven hundred and forty nine, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued, from the expiration thereof, until the twenty fifth day of *March*, one thousand seven hundred and sixty four, and from thence to the end of the then next session of parliament.

8 Geo. 2. c. 11.
continued to
25 March,
1764.

VII. And whereas by an act of parliament made in the first year of the reign of his late Majesty King George the First, (intituled, An act for the better preventing fresh fish taken by foreigners, being imported into this kingdom; and for the preservation of the fry of fish; and for the giving leave to import lobsters and turbutts in foreign bottoms; and for the better preservation of salmon within several rivers, in that part of this kingdom called England) all persons whatsoever were restrained under the penalties, forfeitures, and punishments therein mentioned, from taking, killing, destroying, or wilfully hurting salmon of any kind or size whatsoever, in the river Ribble in the county of Lancatter, and other rivers therein particularly named, between the last day of July, and the twelfth day of November, for ever; which restraint hath been found inconvenient as to the said river Ribble, by reason that the time limited for restraining the taking fish therein, is not properly suited or adapted to the fishing seasons there, so as to answer the intention of the said act, but it would be much more advantageous to the salmon fisheries in that river, if persons were restrained from taking, killing, destroying, or wilfully hurting any salmon in the said river Ribble, betwixt the fourteenth day of September, and the second day of January yearly, and were at liberty to take and kill the same the remainder of the year; be it therefore enacted by the authority aforesaid, That Liberty given to take salmon in the river Ribble, between 1 Jan. and 15 Sept. yearly. it shall and may be lawful to and for the respective owners and proprietors of the fisheries and fishings in the said river Ribble, and every other person or persons intituled to fish therein, and their and every of their lessees, tenants, servants, and agents, and every of them, at any time or times hereafter, betwixt the first day of January, and fifteenth day of September, in any year, to take and kill by any lawful ways or means whatsoever, any salmon, salmon peal, or salmon kind, in their respective fisheries and places within the said river Ribble, and to sell any of the fish so taken between the times aforesaid; any thing in the said recited act, or any other act, to the contrary notwithstanding.

VIII. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall at any time hereafter, between the fourteenth day of September, and second day of January for ever, by or with any net, device, engine, ways or means whatsoever, take, kill, destroy, or wilfully hurt, any salmon of any kind or size whatsoever, in the said river Ribble, such person or persons shall incur, and be subject to such and

Penalty of taking salmon in the said river out of the time limited.

the ſame penalties, forfeitures and puniſhments as were by the ſaid recited act inflicted upon perſons taking, killing, deſtroying, or wilfully hurting ſalmon in the ſaid river, betwixt the laſt day of July, and twelfth day of November, and ſhall be proceeded againſt and convicted thereof, in the ſame manner, as by ſuch recited act is for that purpoſe directed.

The ſaid act continued.

IX. Provided always, and it is hereby declared, That all and every the claules, articles, matters, and things contained in the ſaid recited act (ſave the alteration hereby made in the times of taking, and being reſtrained from taking ſalmon in the ſaid river Ribble as aforeſaid) ſhall be and remain in full force; any thing herein contained to the contrary notwithstanding.

Fees upon Niſi Prius records iſſuing out of the exchequer, to be the ſame as in other courts.

X. And where the taking of larger fees by the officers of aſſize and Niſi Prius, in the reſpective circuits of this kingdom, upon records iſſuing out of the office of pleas of his Maſteſty's court of Exchequer at Weſtminſter, between party and party, than are taken on ſuch records iſſuing out of any other court, is a grievance to the ſubject; be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and fifty, no officer or other perſon whatſoever ſhall demand, take, or receive any greater or other fees upon ſuch records, iſſuing out of the ſaid office, than are taken upon records in cauſes of the like nature, iſſuing out of the courts of King's Bench and Common Pleas at Weſtminſter.

If an offender eſcape out of the jurisdiction of the juſtice who iſſued his warrant, 24 Geo. 2. c. 55. the juſtice where he ſhall have eſcaped, may indorſe the warrant, &c.

XI. And whereas it frequently happens that perſons againſt whom warrants are granted by the juſtices of the peace, for the ſeveral counties within this kingdom, eſcape into other counties or places out of the jurisdiction of the juſtices of the peace granting ſuch warrants, and thereby avoid being puniſhed for the offences wherewith they are charged: for remedy whereof, be it enacted by the authority aforeſaid, That from and after the twenty fourth day of June, one thouſand ſeven hundred and fifty, in caſe any perſon againſt whom a legal warrant ſhall be iſſued, by any juſtice or juſtices of the peace for any county, riding, diviſion, city, liberty, town, or place within this kingdom, ſhall eſcape or go into any other county, riding, diviſion, city, liberty, town, or place out of the jurisdiction of the juſtice or juſtices granting ſuch warrant as aforeſaid, it ſhall and may be lawful for any juſtice of the peace of the county, riding, diviſion, city, liberty, town, or place to which ſuch perſon ſhall have gone or eſcaped, to indorſe ſuch warrant, upon application made to him for that purpoſe, and to cauſe the perſon againſt whom the ſame ſhall have been iſſued, to be apprehended and ſent to the juſtice or juſtices who granted ſuch warrant, or to ſome other juſtice or juſtices of the county, riding, diviſion, city, liberty, town, or place, from whence ſuch perſon ſhall have gone or eſcaped, to the end that he or ſhe may be dealt with according to law; any law or uſage to the contrary notwithstanding.

22 Car. 2. c. 24. ſ. 12.

XII. And whereas by an act of parliament paſſed in the twelfth year of the reign of King Charles the ſecond, (intituled, An act for taking away the court of wards and liveries; and tenures in Capite,

piſe, and by knights ſervice, and purveyance, and for ſettling a revenue upon his Maſteſty in lieu thereof) it was enacted, That the office of exciſe in all places where it ſhall be appointed, ſhall be kept open from eight of the clock in the morning, till twelve of the clock at noon, and from two of the clock in the afternoon, till five of the clock in the afternoon, for the due execution and performance of all and every the matters and things in the ſaid act appointed and required: and whereas the limitations and reſtrictions of time in the ſaid act mentioned, for tranſacting the buſineſs in the ſaid office, have been found very inconvenient, and attended with extraordinary expences to the ſeveral perſons who are charged with the payment of the duties, relating to the revenues under the management of the commiſſioners of exciſe: therefore for the future, be it further enacted by the authority aforeſaid, That the ſaid clause herein before recited ſhall, from and after the tenth day of May, one thouſand ſeven hundred and fifty; and the ſame is hereby enacted and declared to be from thenceforth repealed; and that the ſaid office ſhall, from and after the ſaid tenth day of May, one thouſand ſeven hundred and fifty, be kept open from eight of the clock in the morning, till two of the clock in the afternoon, and no longer.

The exciſe office to be kept open from 8 o' clock till 2.

XIII. *And whereas great quantities of turnips have of late years been ſtolen and taken away by idle and ill-diſpoſed perſons, from the grounds of ſeveral farmers, and others growing turnips, to the great loſs and damage of the owners of the ſaid turnips; for remedy whereof, be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, from and after the twenty fourth day of June, one thouſand ſeven hundred and fifty, ſteal, and take away, or maliciously pull up and deſtroy any turnips, growing or being in any lands or grounds belonging to any perſon or perſons, and ſhall be thereof convicted before any one or more juſtice or juſtices of the peace for the county, town, or place, where the ſaid offence ſhall be committed, either by confeſſion of the party offending, or by the oath of one or more perſon or perſons (and which oath ſuch juſtice or juſtices is and are hereby authorized and impowered to adminiſter) every perſon ſo offending, and being convicted of ſuch offence, in manner herein before-mentioned, ſhall, for the firſt offence, give and pay to the owner or owners of the turnips ſo ſtolen, pulled up, or deſtroyed, ſuch ſatisfaction for his or their damage thereby ſuſtained, and within ſuch time, as the ſaid juſtice or juſtices ſhall appoint; and ſhall over and above pay down upon ſuch conviction, unto the overſeers of the poor of the pariſh where the offence or offences was or were committed, for the uſe of the ſaid poor, ſuch ſum of money not exceeding ten ſhillings, as to the ſaid juſtice or juſtices ſhall ſeem meet; and if any ſuch offender or offenders ſhall not make ſuch recompence or ſatisfaction to the ſaid owner or owners, and alſo pay ſuch ſum to the uſe of the poor, in manner and form aforeſaid, then the ſaid juſtice or juſtices ſhall and may commit the ſaid offender or offenders to the houſe of correction, for any ſpace not exceeding one month, or*

Penalty on perſons ſtealing or deſtroying turnips growing in private grounds.

shall and may order such offender or offenders to be whipped by the constable, as to the said justice or justices shall seem meet; and if any such person or persons shall again commit the like offence, and be thereof convicted as aforesaid, then he, she, or they, so offending the second time, and being thereof convicted as aforesaid, shall be committed to the house of correction for three months.

Limitation of
the prosecution.

XIV. Provided always, That no person or persons shall be prosecuted for any such offence of stealing, pulling up, or destroying of turnips, unless such prosecution be begun within thirty days after the offence committed.

2 Geo. 2.
c. 23. s. 20.

XV. *And whereas by an act of parliament made and passed in the second year of the reign of his present Majesty, (intituled, An act for the better regulation of attornies and solicitors) it was enacted, That from and after the first day of December, one thousand seven hundred and thirty, any person who should be sworn, admitted, and inrolled to be an attorney in any of his Majesty's courts of King's Bench, Common Pleas, Exchequer, counties palatine of Chester, Lancaster, and Durham, and great sessions in Wales, as is therein directed, might be sworn, admitted, and inrolled to be a solicitor in all or any of the courts of equity, in the said act specified, without any fee for the oath, or any stamp to be impressed on the parchment, whereon such admission should be written, if the master of the rolls, two masters of the Chancery, the barons of the court of Exchequer, the chancellor of the dutchy of Lancaster, and the judges of the other courts of equity, in the said act mentioned for the time being, or any of them respectively, should, upon examining such attorney, touching his fitness and capacity to act as a solicitor in courts of equity, be satisfied that such attorney is duly qualified to be so admitted; but there being no provision made in the said in part recited act, for admitting persons (who had been, or shall be sworn, admitted, and inrolled solicitors of any of the courts of equity in the said act mentioned) attornies of any of his Majesty's courts of law therein also mentioned, alibough such solicitor should be duly qualified in all other respects; wherefore, and to supply such omission, be it enacted by the authority aforesaid, That from and after the second day of May, one thousand seven hundred and fifty, any person who hath been already, or who at any time or times hereafter shall be sworn, admitted, and inrolled a solicitor in any of his Majesty's courts of equity at Westminster, in such manner as by the said act is directed, may be sworn, admitted, and inrolled to be an attorney of his Majesty's court of King's Bench or Common Pleas at Westminster, without any fee for the oath, or any stamp to be impressed on the parchment whereon such admission shall be written (his having been sworn, admitted, and inrolled a solicitor in any of the courts of equity afore-mentioned notwithstanding) if the judges of the said courts of King's Bench or Common Pleas for the time being, or any of them respectively, shall, upon examining such solicitor, touching his fitness and capacity to act as an attorney in the said respective courts, be satisfied that such solicitor is duly qualified to be sworn, admitted, and inrolled an attorney, pursuant*

Solicitors in
the courts of
equity may
be admitted
attornies
without fees.

to the said in part recited act, and other the laws now in force concerning attornies and solicitors.

C A P. XXVII.

An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto.

WHEREAS for want of an easy and speedy method for the recovery of small debts, many ill-disposed persons, who have contracted small debts within the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto, and refuse to pay the debts which they have so contracted, to the loss and prejudice of their creditors, and to the detriment of useful credit within the said city and liberty of Westminster, and the said part of the dutchy aforesaid: for the remedy of the said inconvenience, and for the providing an easy and speedy method for the recovery of small debts within the said city and liberty of Westminster, and the said part of the dutchy aforesaid; may it please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for all and every the parishioners of the several and respective parishes within the said city and liberty of Westminster, and the said part of the dutchy aforesaid, who have a right to assemble in vestry, within their respective parishes, and they are hereby respectively empowered and required to meet on the first day of May, in the year of our Lord one thousand seven hundred and fifty, and so on the same day in every succeeding year, provided the same shall not fall on a Sunday; and if it should, then upon the next day at ten of the clock in the forenoon, in the several and respective vestries in every of their respective parishes, and nominate and assign in the whole, the number of two hundred and forty two of the most substantial and discreet persons residing within their respective parishes, who are to be commissioners for the purposes hereafter-mentioned and expressed; to be appointed by such parishioners of the said several parishes, in manner following; (that is to say) of the parish of Saint Margaret 30, or nominate and appoint thirty of the said persons; of the parish of Saint John the Evangelist, other twenty of the said persons; of the parish of Saint James, other forty two of the said persons; of the parish of Saint George, Hanover Square, other thirty of the said persons; of the parish of Saint Anne, other twenty four of the said persons; of the parish of Saint Martin in the Fields, other forty of the said persons; of the parish of Saint Clement Danes, as well within the liberty of Westminster as without, other twenty four of the said persons; of the parish of Saint Mary le Strand, other twelve of the said persons; and of the parish of Saint Paul, Covent Garden, other twenty of the said persons: and the church-wardens

Amended by 24 Geo. 2. c. 42.

The parishioners of Westminster, to meet in their vestries on 1 May yearly,

and nominate 242 commissioners, viz.

St. Margaret 30,
St. John 20,
St. James 42,
St. George Hanover Square 30,
St. Anne 24,
St. Martin in the Fields 40,
St. Clement Danes 24,
St. Mary le Strand 12,
St. Paul Covent Garden 20.

Churchwardens to make 2 lifts, and affix one on the church door, and deliver the other to the high bailiff.

Commissioners constituted a court of justice:

Three to hold the court,

In St. Margaret, every Tuesday;

in St. James's, every Wednesday;

and in St. Paul Covent Garden, every Thursday;

and to pronounce judgement, &c. None to be imprisoned upon an execution, longer than 40 days.

Qualification of commissioners.

wardens of each respective parish for the time being, or one of them, shall, within two days after such nomination, cause two lifts to be made out of the several persons so respectively nominated and appointed, as aforesaid; and shall cause one of the said lifts, or a true copy thereof, to be fixed or stuck up on the church door of each respective parish; and shall deliver, or cause to be delivered, the other of the said lifts to the high bailiff of the said city and liberty, or his deputy, who shall forthwith cause a copy of such lifts to be made and stuck up in the several places where the said commissioners shall assemble; which said persons so nominated and returned by and for the said several parishes respectively, as aforesaid, from time to time, shall be, and are hereby declared, constituted, and appointed commissioners to hear and determine all such matters of debt as are hereafter mentioned; and such commissioners, so from time to time to be nominated and appointed, as aforesaid, are hereby constituted a court of justice, by the name of *The court of requests for the city and liberty of Westminster, and that part of the duchy of Lancaster, which adjoineth thereto*; and the said commissioners, or any three or more of them, are hereby authorized, impowered, and required to assemble, sit, and hold the said court, in and for the said several parishes, in such several divisions, and on such days, and in such manner, as is herein after-mentioned; *videlicet*, The commissioners of the parishes of *Saint Margaret* and *Saint John the Evangelist*, on every *Tuesday* in every week, or oftner, if necessary, in some convenient part of the said parish of *Saint Margaret*; the commissioners of the parishes of *Saint George Hanover Square*, *Saint James*, and *Saint Anne*, on every *Wednesday* in every week, or oftner, if necessary, in some convenient part of the said parish of *Saint James*; and the commissioners of *Saint Martin in the Fields*, *Saint Paul Covent Garden*, *Saint Clement Danes*, and *Saint Mary le Strand*, on every *Thursday* in every week, or oftner, if necessary, in some convenient part of the said parish of *Saint Paul Covent Garden*; and such commissioners, so to be nominated and appointed as aforesaid, for the time being, or any three or more of them, shall have power and authority, by virtue of this act, to hear and determine, in their respective divisions, all such causes as are herein after-mentioned, and to pronounce such judgement, and make such decree, and to award execution thereupon, with costs, against the bodies, or against the goods and chattels of all and every the person or persons against whom they shall give such judgement, or make such decree, as to them shall seem just in law or equity; so as no person shall remain in prison upon an execution, for a longer space than forty days.

II. Provided always, and it is hereby enacted by the authority aforesaid, That no person shall be capable of acting as a commissioner, in the execution of the powers given by this act, unless such person, at the time of his nomination, and also during the time he shall so act as a commissioner, in the execution of the powers given by this act, shall be seised of lands, tenements,

enements, or hereditaments, of the yearly value of twenty pounds, clear of all incumbrances, or be possessed of a personal estate of the value of five hundred pounds.

III. And be it further enacted by the authority aforesaid, That if any person or persons summoned by virtue of this act, shall not perform such order as the said commissioners, or any three or more of them shall make and set down for or concerning such debts as aforesaid, then it shall and may be lawful to and for the said commissioners, or any five or more of them, after personal service of the said order, and due proof thereof made, to commit such person or persons to one of his Majesty's gaols within the city and liberty of *Westminster*, there to remain until he, she, or they shall perform such order, so as no person so imprisoned shall remain in prison for a longer space of time than forty days.

Persons summoned, not conforming, may be committed.

IV. And for the more orderly and regular proceeding in the said court, and to prevent any undue preference or delay, in summoning the said commissioners to attend the business of the said court, be it further enacted by the authority aforesaid, That the said high bailiff, who is hereby impowered and required from time to time so to do, shall, within two days next after such several lists shall be returned to him as aforesaid, summon, or cause to be summoned, the first seven persons named in each list containing forty two and forty, the first five in each list containing thirty, the first four in each list containing twenty four and twenty, and the first two in each list containing twelve, to attend as commissioners of the said court, in their respective divisions, for the month of *May*, and so the like number of persons out of every list, as they shall stand in order and rotation therein respectively, to serve as commissioners in their respective divisions, from month to month, during the term for which they are chosen commissioners.

The high bailiff to summon a certain number of commissioners monthly.

V. Provided always, That nothing herein before contained shall extend, or be construed to extend, to exclude or debar any of the persons who shall be nominated and returned for commissioners as aforesaid (although they be not in rotation) from sitting in the said court, in each respective division, but that all such commissioners shall and may, as often as they shall respectively think fit, sit and give judgement therein; any thing herein before contained to the contrary thereof notwithstanding.

Such commissioners as are not in rotation, may sit.

VI. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and fifty, it shall and may be lawful to and for every resiant and inhabitant within the said city and liberty, or the said part of the said dutchy aforesaid, and to and for all and every person and persons renting or keeping any shop, shed, stall, or stand, or seeking a livelihood within the said city and liberty of *Westminster*, or in the said part of the said dutchy aforesaid, who now have, or hereafter shall have, any debt or debts due or owing unto him, her, or them, not amounting to the sum of forty shillings, by any person or persons whatsoever,

Power given to resiants to sue for debts under 40 s.

Clerks to summon the debtor.

Upon return of the summons, the commissioners to give judgement.

Orders, &c. to be registered and observed.

Commissioners may administer oaths to the parties, &c.

In an action for a debt under 40 s. sued for in any other court, the defendant may plead this act in bar, &c.

inhabiting or seeking a livelihood within the said city and liberty of *Westminster*, or in that part of the said dutchy aforesaid, to apply to the said clerks of the said court, or one of them, who shall cause such debtor or debtors so inhabiting or seeking a livelihood as aforesaid, to be warned or summoned by the said high bailiff, or his officer or officers (who are hereby appointed, authorized, and required, to execute all warrants, precepts, and process of the said court of requests) by writing left at the dwelling-house, or place of abode, shop, shed, stall, stand, or any other place of dealing of such debtor or debtors, to appear before the commissioners of the said court, to be held in and for such division, where such debtor or debtors shall inhabit or reside as aforesaid; and that the said commissioners, or any three or more of them, shall, after the return of such summons as aforesaid, have full power and authority by virtue of this act, to make, or cause to be made, such acts, order or orders, decrees, judgements, and proceedings, between such party or parties, plaintiffs, and his, her, or their debtor or debtors, defendants, touching such debts, not amounting to the sum of forty shillings, as they shall find to stand with equity and good conscience; and all such acts, decrees, judgements, and proceedings, order or orders, shall be entered and registred in a book to be kept for that purpose by the clerk or clerks of the said court; and shall be observed, performed, and kept in all parts, as well by the plaintiff as by the debtor or defendant.

VII. And for the more solemn determination of matters and causes which shall be depending in the said court intended to be established by this act, it is hereby further enacted, That it shall and may be lawful for the said commissioners, or any three or more of them, to administer an oath to the plaintiff or defendant, and to such witness or witnesses, as shall be produced by each party; and also to all the officers of the said court, for or concerning any business relative thereunto, if the same commissioners, or any three or more of them, shall think it meet.

VIII. And be it further enacted by the authority aforesaid, That if any action of debt, or action on the case upon an *Assumpsit* for the recovery of any debt to be sued or prosecuted against any person or persons aforesaid, in any of the King's courts at *Westminster*, or elsewhere, out of the said court of requests, the plaintiff shall declare for any sum of money, not amounting to the sum of forty shillings, the defendant may plead generally in bar of such action, That at the time of commencing such action, the defendant was inhabitant and resident within the said city and liberty of *Westminster*, or that part of the dutchy aforesaid, and was liable to be warned or summoned before the said court of requests, without pleading any other matter specially; and in case the plaintiff, in any such action, shall declare for the sum of forty shillings, or any sum of money exceeding the sum of forty shillings, the defendant may plead generally (over and above such matters as aforesaid) that the defendant was not, at the time of commencing such action, indebted to the plaintiff

in

in any fum or fums of money amounting to the fum of forty fhillings, without pleading any other matter fpecially, whereto the plaintiff fhall or may reply generally, and deny the matters pleaded as aforefaid; and if the plaintiff be nonfuit, or difcontinue his action, or verdict pafs againft him, or judgement be given on demurrer, the defendant fhall have full cofts.

Full cofts.

IX. Provided always, That it fhall and may be lawful to and for the plaintiff, in fuch action, afterwards to profecute the faid defendant for the recovery of his faid debt in the faid court of requests; fuch verdict or judgement obtained againft him as aforefaid, in any wife notwithstanding.

Plaintiff may afterwards fue in the court of requests.

X. And for the more effectual eftablifhing of the faid court of requests, and the better enforcing the orders and decrees which fhall be made by the faid commissioners; and that the faid commissioners may be invefted with proper power and authority, and be free and exempt from any infult or abufes; be it further enacted by the authority aforefaid, That if any perfon or perfons fhall contemptuously affront, infult, or abufe all or any of the commissioners of the faid court, during their fitting in the faid court, it fhall and may be lawful to and for the faid high bailiff, or his deputy, officer or officers, by order of the faid commissioners then fitting, or any three or more of them, to take fuch perfon or perfons fo offending as aforefaid into cuftody, and carry him, her, or them, before one or more of his Majesty's juftice or juftices of the peace for the faid city and liberty of *Westminfter*, to anfwer fuch affront, infult, or abufe; and upon the fact alledged being duly proved, upon the oath or oaths of one or more credible witnefs or witneffes, againft him, her, or them; then, and in fuch cafe, the faid juftice or juftices fhall proceed to punifh fuch perfon or perfons fo offending as aforefaid, by fine or imprifonment, or both; provided that the fine on any one perfon do not exceed the fum of twenty fhillings; and that the imprifonment be for no longer time than ten days.

Method of proceeding and punifhment, when any fhall infult the court.

Fine not to exceed 20 s. nor the imprifonment 10 days.

XI. And be it further enacted by the authority aforefaid, That upon the nonpayment of the faid fine, fo to be impofed or fet upon every perfon convicted of offending as aforefaid, it fhall and may be lawful for the faid juftice or juftices to iflue a warrant or warrants, under his or their hands and feals, for levying the faid fine or fines fo impofed, upon the goods and chattels of every fuch offender or offenders, being then refiant or inhabiting within the faid city and liberty of *Westminfter*, or that part of the dutchy aforefaid, and to caufe fale to be made thereof, in cafe they fhall not be redeemed in five days, rendering the overplus, if any, to the owner upon demand, after deducting the reafonable charges of fuch fale; which fine or fines, when levied or received by virtue of this act, fhall be immediately paid over into the hands of the churchwardens or overfeers of the poor of the parifh wherein every fuch offender fhall, at the time of fuch offence committed, inhabit, dwell, or feek a livelihood, towards the fupport and maintenance of the poor

The fine to be levied by diftreff and fale,

towards the fupport of the poor;

of

Where the offender is not resiant, &c. he is to be committed.

of the same parish; and if such offender or offenders shall not be resiant or inhabiting within the said city and liberty of *Westminster*, or that part of the dutchy aforesaid, or shall not have any goods or chattels within the said city and liberty of *Westminster*, or that part of the dutchy aforesaid, whereof such fine or fines can be levied as aforesaid; then and in such case, and upon the nonpayment of such fine or fines, it shall and may be lawful for the said justice or justices, by warrant under his or their hand and seal, or hands and seals, to commit such offender or offenders to one of his Majesty's gaols within the city or liberty of *Westminster*, there to remain for the space of one calendar month, unless he, she, or they, sooner pay the said fine or fines so imposed as aforesaid; in which case, he, she, or they, on payment of such fine or fines, are to be forthwith discharged out of custody; and such fine or fines, when levied or received, shall be immediately paid over into the hands of the said churchwardens or overseers of the poor for the purposes aforesaid.

On payment of the fine the person to be discharged.

Copy of the 2 last clauses to be stuck up in the courts.

XII. And be it further enacted by the authority aforesaid, That the clerks of the said court, or one of them, shall fix, or cause to be fixed, or stuck up, in the most publick part of the respective places where such court shall be held in the several divisions aforesaid, or other place where the said commissioners shall sit to do business as aforesaid, a true copy of the two last preceding clauses of this act, to the end that no person or persons shall or may pretend ignorance in the premises.

Penalty of perjury.

XIII. And be it further enacted by the authority aforesaid, That in case any person or persons shall make oath, or give evidence, in any cause depending in the said court of requests, whereby he, she, or they, shall commit any wilful or corrupt perjury, and shall thereof be duly convicted according to law, then every such person or persons shall incur and suffer the like pains and penalties as any other person or persons convicted of wilful perjury according to the laws and statutes of this realm.

Clerks of the court,

XIV. And be it further enacted by the authority aforesaid, That *Thomas Smith, Stephen Popham, Harman Verelst, and John Spranger*, gentlemen, shall be, and are hereby constituted and appointed clerks of the said court of requests during their respective good behaviour; who shall and are hereby empowered and required to issue out and register all summons, warrants, precepts, acts, orders, decrees, judgements, attachments, and proceedings of the said court; and shall keep proper books, wherein shall be entered and registred all acts, orders, and proceedings of the same court; and that no clerk of the said court shall act as a justice of the peace within the limits of the jurisdiction of the said court.

and their office.

No clerk to act as a justice.

On the death, removal, or resignation of the clerks, the commissioners to be summoned, and elect another.

XV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners who shall be sitting and acting in court, on the next court day after the death, resignation, or removal of any of the said clerks appointed by this act, or so soon after as the same is publicly known, or the major part of them, to cause the whole number

of

of commissioners to be summoned to meet at some convenient place to be appointed for that purpose, within four days next after their being summoned as aforesaid; and such commissioners, at such meeting, or the major part of them then present, are hereby authorized and required to elect another person or persons in the room of such of the said clerks so dying, resigning, or being removed, as aforesaid, for the use and purposes in this act contained; and so from time to time, upon every vacancy of the said office of clerk, for ever.

XVI. And be it further enacted by the authority aforesaid, That no person or persons shall be capable of acting as commissioner or commissioners, in the execution of the powers given by this act, until such time as he and they shall have respectively taken an oath to the effect following :

I A. B. do swear, That I will faithfully, impartially, and honestly, according to the best of my judgement, hear and determine such matters and things as shall be brought before me, by virtue of an act of parliament (intituled, An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto) without favour or affection to either party; and that I am now seised of lands, tenements, or hereditaments, of the yearly value of twenty pounds, clear of all incumbrances; or that I am possessed of a personal estate of the value of five hundred pounds.

The oath.

Which oath the said clerks, or one of them, are or is hereby impowered and required to administer in open court; a memorial whereof shall be entered in the registers of the said court.

to be administered by a clerk, and registered.

XVII. And be it further enacted by the authority aforesaid, That the several fees hereafter limited and expressed, and no other fee or fees, shall and may be taken for the respective services of the said high bailiff and clerks; that is to say,

Fees allowed to be taken by the high bailiff and clerks.

For issuing out every summons, to the clerk or clerks, three pence.

For the service of such summons, to the high bailiff, three pence.

For every hearing, to the clerk or clerks, three pence; to the high bailiff, one penny.

For an attachment against the defendant for not appearing to the summons, to the clerk or clerks, six pence; to the high bailiff, one shilling and two pence.

For an execution, to the clerk or clerks, ten pence; to the high bailiff, one shilling and two pence.

For paying money into court, to the clerk or clerks, seven pence.

For acknowledging satisfaction in full, to the clerk or clerks, four pence.

For searching the books, to the clerk or clerks, two pence.

For calling the defendant before the court, when he refuses

to

to appear, to the clerk or clerks, two pence ; to the high bailiff, two pence.

For a nonsuit on the plaintiff's not appearing to the clerk or clerks, two pence :

Table of the fees to be hung up in the courts.

A table of which fees shall be hung up by the clerks of the said court, or one of them, in some publick or conspicuous part of every place where the said commissioners shall meet for the purposes aforesaid ; to the end that all persons may at all times see and read the same.

Penalty on the high bailiff, &c. taking greater fees, &c.

XVIII. And be it further enacted, That if the said high bailiff for the time being, or any of his officers, or the said clerks, or any of them, shall take or demand any greater or other fee or fees than as above-mentioned, or otherwise misbehave, that then, upon complaint made to the said commissioners sitting in court, of the said offence or offences, such complaint being duly proved upon the oath or oaths of one or more credible witnesses or witnesses, against him or them so offending, as aforesaid, the said commissioners shall proceed to punish such person or persons so offending, as aforesaid, by fine, not exceeding the sum of five pounds for any one offence, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of the said commissioners, or any three of them (rendering to the owner the overplus, after the charges of such distress and sale are deducted) and to be paid over by the said commissioners, and applied to the use of the sick in the *Westminster* infirmary.

Application of the penalty.

Method of proceeding against clerks where the offence deserves a greater punishment.

XIX. And be it further enacted by the authority aforesaid, That if upon complaint made by any person or persons of the misbehaviour of any clerk or clerks appointed or to be appointed by virtue of this act, or of any clerk or clerks taking or demanding any greater or other fees than as above-mentioned, it shall appear to the commissioners then present, that such offence deserves a greater punishment than is before provided, it shall and may be lawful for the commissioners then sitting in court, or the major part of them, in case they shall so think fit, to cause the whole number of commissioners to be summoned to meet as soon as conveniently may be, by publick notice to be given in the several parish churches aforesaid, by the parish clerks thereof (which notice the said parish clerks are hereby required and directed to give without fee or reward) immediately after divine service, on the *Sunday* morning next before such meeting is to be held (such *Sunday* to be at least three days before the day appointed for such meeting) to examine into the merits of such complaint ; and if it shall then appear to the commissioners, being not less than sixty present, or to the major part of them, that such clerk or clerks hath or have been guilty of a gross misbehaviour, or breach of duty in his or their office, that then it shall and may be lawful to and for the said commissioners, or the major part of them, to suspend or remove such clerk or clerks from his or their said office, and to elect

elect another person or persons in the room of the person or persons so removed.

XX. Provided always, That this act, or any thing herein contained, shall not extend to any debt for any rent upon any lease of lands or tenements, or on any other real contract, nor to any debt which shall arise by reason of any cause concerning testament or matrimony, or any thing concerning, or properly belonging to the ecclesiastical court, albeit the same shall be under forty shillings; any thing herein before contained to the contrary in any wise notwithstanding.

Certain debts not liable to be sued by this act.

XXI. And be it further enacted by the authority aforesaid, That no action or suit for any debt not amounting to the sum of forty shillings, and recoverable by virtue of this act in the said court of requests, shall be brought against any person residing or inhabiting within the jurisdiction thereof, in any other court whatsoever.

No suit for debts recoverable by this act, to be brought in any other court.

XXII. And whereas the four council of the ancient court of the Marshalsea, and court of his Majesty's palace of Westminster, who hold their offices for the terms of their natural lives respectively, and who have been made chargeable by parliament, and actually assessed to the land tax for their freeholds in their said offices, will sustain great loss by this present act, unless a compensation shall be made to them for the same; be it therefore enacted by the authority aforesaid, That the said high bailiff, and the clerks of the said court of requests for the time being, shall, and they are hereby required, out of the fees limited or to be limited to him and them, by virtue of this present act, to pay, or cause to be paid, in equal proportions, unto John Lawson, Lomax Martyn, George Weller, and John Le Gros Spelman, esquires, the present council of the said court of the Marshalsea, and court of his Majesty's palace of Westminster, as a compensation for the loss they will sustain in their said offices by this present act, for and during the terms of their respective natural lives, the yearly sum of twenty pounds apiece, of lawful money of Great Britain (free and clear of and from all charges and deductions whatsoever) to be paid to them severally and respectively, yearly and every year, at or upon the several feast days following; that is to say, The feast of Saint Michael the Archangel, the feast of the nativity of our Lord, the feast of the annunciation of the blessed Virgin Mary, and the feast of the nativity of Saint John the Baptist, by even and equal portions; the first payment thereof to begin and to be made at or upon the feast day of Saint Michael the Archangel, in the year of our Lord one thousand seven hundred and fifty.

sol. per annum to be paid yearly, to each of the four council of the court of Marshalsea.

XXIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons for any matter or thing done or to be done in pursuance of this act, then, and in such case, such action or suit shall be brought or commenced within three calendar months next after the fact committed, and not afterwards; and the defendant or defendants, in such action or suit, shall and may plead

Limitation of actions.

- General issue.** plead the general issue, and give this act and the special matter in evidence at any trial to be had thereon: and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his or their action or actions, suit or suits; or if, upon verdict or demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have such remedy for the same, as any defendant or defendants hath or have in other cases by law.
- Treble costs.**
- Publick act.** XXIV. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such, by all judges, justices, and all other persons whatsoever, without specially pleading the same.

CAP. XXVIII.

An act to explain part of an act passed in the thirteenth and fourteenth years of the reign of King Charles the Second, for the uniformity of publick prayers, and administration of sacraments; and also part of an act passed in the thirteenth year of the reign of Queen Elizabeth, for the ministers of the church to be of sound religion.

- 13 & 14 Car. 2.
c. 4. f. 6. **WHEREAS** by an act passed in the thirteenth and fourteenth years of the reign of the late King Charles the Second, intituled, An act for the uniformity of publick prayers, and administration of sacraments, and other rites and ceremonies; and for establishing the form of making, ordaining, and consecrating bishops, priests, and deacons, in the church of England; it was enacted, That every person who should thereafter be presented or collated, or put into any ecclesiastical benefice or promotion, within England, the dominion of Wales, and town of Berwick upon Tweed, should, in the church, chapel, or place of publick worship, belonging to his said benefice or promotion, within two months next after that he shall be in the actual possession of the said ecclesiastical benefice or promotion, upon some Lord's day, openly, publickly, and solemnly read the morning and evening prayers appointed to be read by and according to the book of common prayer, at the times thereby appointed or to be appointed; and after such reading thereof, should openly and publickly, before the congregation there assembled, declare his unfeigned assent and consent to the use of all things therein contained and prescribed, according to the form therein before appointed; and that all and every such person who should (without some lawful impediment, to be allowed and approved by the ordinary of the place) neglect or refuse to do the same within the time aforesaid, or (in case of such impediment, within one month after such impediment removed) should (ipso facto) be deprived of all his said ecclesiastical benefices and promotions; and that from thenceforth it should and might be lawful to and for all patrons and donors of all and singular the said ecclesiastical benefices and promotions, or any of them, according to their respective rights and titles, to present or collate to the same, as though the person or persons so offending or neglecting were dead: and it was

by

by the said act (amongst other things) further enacted, That every parson, vicar, curate, lecturer, and every other person in holy orders, should, before his or their respective admission to be incumbent, or have possession of any parsonage, vicarage, or any curate's place or lecture, subscribe the declaration or acknowledgement therein directed before the respective archbishop, bishop, or ordinary of the diocese, upon pain that all and every of the persons afore-mentioned, failing in such subscription, should lose and forfeit such respective parsonage, vicarage, curate's place, or lecture, and should be utterly disabled and (ipso facto) deprived of the same; and that every such respective parsonage, vicarage, curate's place, or lecture, should be void, as if such person so failing were naturally dead; and that after such subscription made, every parson, vicar, curate, or lecturer should procure a certificate under the hand and seal of the respective archbishop, bishop, or ordinary of the diocese (who were thereby enjoined and required, upon demand, to make and deliver the same) and should publicly and openly read the same, together with the declaration or acknowledgement therein mentioned, upon some Lord's day within three months then next following, in his parish church where he was to officiate, in the presence of the congregation there assembled, in the time of divine service, upon pain, that every person failing therein, should lose such parsonage, vicarage, or benefice, curate's place, or lecturer's place respectively, and should be utterly disabled and (ipso facto) deprived of the same; and that the said parsonage, vicarage, or benefice, curate's place, or lecturer's place should be void, as if he were naturally dead: and whereas doubts have arisen, whether the allowance and approbation of any lawful impediment before-mentioned, doth extend to both the said before-recited cases, or whether any archbishop, bishop, or other ordinary, hath power by the said act to allow and approve of any lawful impediment, as to reading the said last-mentioned certificate and declaration, within the time limited by the said act: for the obviating thereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every allowance and approbation of any lawful impediment already given and declared, or which shall hereafter be given and declared, in pursuance of the said act, by any archbishop, bishop, or ordinary, to any person for or in respect of not reading in the church, chapel, or place of public worship, belonging to his benefice or promotion, within two months next after that he shall be in the actual possession of the said benefice or promotion, upon some Lord's day, openly, publicly, and solemnly, the morning and evening prayers, appointed to be read by and according to the said book of common prayer, and for or in respect of not openly and publicly, before the congregation there assembled, declaring his unfeigned assent and consent to the use of all things therein contained and prescribed, shall extend, and be construed to extend, to the not reading the said last-mentioned certificate and declaration, although the same be not mentioned in the said allowance

Allowance of a lawful impediment extended to the not reading the certificate and declaration within the time limited.

allowance and approbation, for the like time as the said allowance and approbation shall extend to.

13 Eliz. c. 12.

Persons who shall read the articles and declaration at the time of reading the morning and evening prayer;

are declared to have complied with the intent of 13 Eliz.

Limitation of this act.

II. *And whereas by an act passed in the thirteenth year of the reign of Queen Elizabeth, intituled, An act for the ministers of the church to be of sound religion; it was (amongst other things) enacted, That every person who should be admitted to a benefice with cure, except that within two months after his induction, he should publicly read the articles therein mentioned, in the same church whereof he should have cure, in the time of common prayer there, with declaration of his unfeigned assent thereunto, should be, upon every such default (ipso facto) immediately deprived: and whereas it hath happened, and may hereafter happen, through sickness, or other lawful impediment, that divers persons have been, and may be hindered from reading the said articles, and making the said declaration, within the time directed by the said act, and yet such person, after such sickness, or other lawful impediment removed, hath read, and may hereafter read the said articles, and make the said declaration; and it is reasonable that such persons should be deemed to have complied with the true intent and meaning of the said act; be it therefore further enacted by the authority aforesaid, That every person who hath already read, or who shall hereafter read the said articles, and hath made, or shall hereafter make the said declaration, at the same time that he did read, or shall hereafter read the morning and evening prayer, and declare his unfeigned assent and consent to the use of all things therein contained and prescribed, according to the directions of the said in part recited act of the thirteenth and fourteenth years of the reign of King Charles the Second, shall be, and is hereby declared and adjudged to have complied with the true intent and meaning of the said act of the thirteenth year of the reign of Queen Elizabeth, although the same were not, or may not be read within the space of two months after such person's induction into any benefice with cure; and that every such person shall, and he is hereby declared to be freed and discharged from any deprivation, or other forfeiture by virtue of the said act; any thing therein contained to the contrary notwithstanding.*

III. *Provided always, That this act shall not extend to restore any person to any parsonage, vicarage, or benefice, curate's place, or lecturer's place, which, for want of reading such certificate and declaration, within the time directed by the said first in part recited act, or of reading the said articles and declaration concerning the same, according to the said last-mentioned act, hath been forfeited or become void, and is already filled up or enjoyed by any person or persons whatsoever.*

C A P. XXIX.

An act to encourage the importation of pig and bar iron from his Majesty's colonies in America; and to prevent the erection of any mill or other engine for slitting or rolling of iron; or any plateing forge to work with a tilt hammer; or any furnace for making steel in any of the said colonies.

WHEREAS the importation of bar iron from his Majesty's colonies in America, into the port of London, and the importation of pig iron from the said colonies, into any port of Great Britain, and the manufacture of such bar and pig iron in Great Britain, will be a great advantage not only to the said colonies, but also to this kingdom, by furnishing the manufacturers of iron with a supply of that useful and necessary commodity, and by means thereof large sums of money, now annually paid for iron to foreigners, will be saved to this kingdom, and a greater quantity of the woollen, and other manufactures of Great Britain, will be exported to America, in exchange for such iron so imported; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June, one Pig iron made thousand seven hundred and fifty, the several and respective subsidies, customs, impositions, rates, and duties, now payable on pig iron, made in and imported from his Majesty's colonies in America, into any port of Great Britain, shall cease, determine, be no longer paid; and that from and after the said twenty fourth day of June, no subsidy, custom, imposition, rate, or duty whatsoever, shall be payable upon bar iron made in and imported from the said colonies into the port of London; any law, statute, or usage to the contrary thereof in any wise notwithstanding.

II. And be it further enacted by the authority aforesaid, That no such bar iron so imported into the port of London, shall be afterwards exported, or shall be carried coastwise to be landed at any other port or place of Great Britain, except for the use of his Majesty's dock yards, upon pain, that all such bar iron so exported, or carried coastwise, and every ship or vessel, on board of which any such bar iron shall be so exported, or carried coastwise, shall be subject to such forfeiture and seizure, as any prohibited or uncustomed goods, or any goods clandestinely exported or imported, or any ship or vessel on board of which any such goods shall be exported or imported, are now liable by law; and also upon pain, that every person, so exporting such bar iron, or sending the same coastwise, and the master or commander, and mariners of every ship or vessel, on board of which any such bar iron shall be so exported or carried coastwise, shall be subject to such and the like punishments and penalties as the master or commander, or mariners of any ship

Officers granting any cocquet for exporting thereof,

to forfeit 200l.

and his office.

No bar iron to be carried coastwise, unless the duty be paid.

Penalty of carrying by land any such iron beyond 10 miles from London.

Oath to be made of the place where the iron was made, and to whom consigned.

or vessel, laden with any prohibited or uncustomed goods, or goods clandestinely exported or imported, are now liable to by law; and that no officer of his Majesty's customs shall sign or grant any cocquet, sufferance, transire, let-pals, warrant, or certificate whatsoever, for exporting or carrying coastwise, except for the use of his Majesty's dock yards, any such bar iron so imported into the port of *London*, upon pain, that every officer of his Majesty's customs, so offending, shall forfeit and pay the sum of two hundred pounds, to be sued for and recovered by action, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, and to be applied, one moiety to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons as shall sue for the same, and shall also lose and forfeit his office, and be incapable of serving his Majesty, his heirs or successors, in any office of trust or profit whatsoever; and that if any such cocquet, sufferance, transire, let-pals, warrant, or certificate whatsoever, shall be signed or granted, the same shall be void, and of no effect whatsoever.

III. And be it further enacted by the authority aforesaid, That no bar iron whatsoever shall be permitted to be carried coastwise, unless mention be made in the certificate to be granted for that purpose, of the day on which the subsidies, customs, impositions, rates, and duties, payable upon the importation thereof, were paid, and of the name of the person or persons by whom the same were paid.

IV. And it is hereby further enacted, That no bar iron imported into the port of *London*, by virtue or in pursuance of this act, shall be carried or conveyed by land carriage to any place beyond ten miles from any part of the port of *London*, except to his Majesty's dock yards for the use of his Majesty, his heirs and successors; and if any person or persons shall carry and convey, or cause or procure to be carried or conveyed upon horseback, or in any waggon, cart, or other carriage, any iron so imported, to any place beyond the limits prescribed by this act, every person so offending, shall, for every such offence, forfeit and pay the sum of twenty shillings for every hundred weight of such iron.

V. And that the importers of foreign pig and bar iron, not made in and imported from the said colonies, may not, upon any pretence whatsoever, claim the exemption hereby granted; be it further enacted by the authority aforesaid, That every merchant, trader, factor, or other person, loading any pig or bar iron on board any ship or vessel in any of his Majesty's colonies in *America*, shall, before the clearing out of the said ship or vessel for any port of *Great Britain*, make oath before the governor or lieutenant governor, collector and comptroller of the customs, and naval officer, or any two of them (which oath every such governor or lieutenant governor, collector, and comptroller of the customs, and naval officer, is hereby impowered and required to administer without fee or reward) that the pig or bar iron

iron so shipped, the true weight whereof shall in such oath be expressed, was made at within the colony of in which oath also the name or names of the person or persons to whom the said iron shall be sold or consigned, shall be expressed; and thereupon the said governor, lieutenant governor, collector, and comptroller of the customs, Certificate to be given. and naval officer, or any two of them, shall deliver to such merchant, trader, factor, or other person, so making oath as aforesaid, a certificate, under their hands and seal of office, of such oath having been made before them.

VI. And be it further enacted by the authority aforesaid, That no person or persons importing any pig or bar iron into *Great Britain* from his Majesty's colonies in *America*, shall import the same duty-free as aforesaid, unless such pig or bar iron shall be stamped with some mark denoting the colony or place where the same was made; and unless such person or persons shall produce such certificate to the chief officer of the customs at the port in *Great Britain* where the same shall be imported; and unless oath shall be made before the said chief officer of the customs, by the master or commanding officer of the ship or vessel, importing such pig or bar iron (which oath such chief officer is hereby impowered and required to administer without fee or reward) that the iron so imported is the same iron mentioned in the said certificate. Rules to be observed in the importation of iron.

VII. Provided always, and be it enacted by the authority aforesaid, That all pig or bar iron imported into *Great Britain*, which shall not be so stamped and certified as aforesaid, to be made in his Majesty's colonies in *America*, shall be subject to the payment of the same subsidies, customs, impositions, rates, and duties, to which such iron was liable before the making of this act. Iron not marked, and certified, to pay the duties.

VIII. And be it further enacted by the authority aforesaid, That if any governor, lieutenant governor, collector, or comptroller of the customs, naval officer or chief officer of the customs as aforesaid, shall falsely make any such certificate, every person so offending shall, for every such offence, forfeit and pay the sum of two hundred pounds, and also forfeit and lose his office, and be incapable of serving his Majesty, his heirs and successors in any office of trust or profit; or if any merchant, factor, trader, and master, or commanding officer of any ship or vessel, shall falsely make any oath required by this act, every such offender shall incur the punishment inflicted by the laws of this realm for wilful and corrupt perjury; and if any person shall knowingly counterfeit any such stamp, or shall counterfeit any such certificate, or publish the same, knowing it to be counterfeit, every such person so offending shall incur the punishment inflicted by the laws of this realm for forgery. Penalty of false certificates, or oaths; and of counterfeiting of stamps, or certificate.

IX. And, that pig and bar iron made in his Majesty's colonies in *America* may be further manufactured in this kingdom, be it further enacted by the authority aforesaid, That from and after the twenty fourth day of *June*, one thousand seven hundred and No mill for dressing of iron; or plate-

ing forge; or
furnace for
steel to be
erected, &c.
in America.

Penalty of
200 l.

to be deemed
a common
nuisance;

and the go-
vernor to caufe
it to be abat-
ed,

Penalty of
500 l. &c.

Method of re-
covering the
penalties.

Application of
the penalties.

dred and fifty, no mill or other engine for flitting or rolling of iron, or any plateing-furnace to work with a tilt hammer, or any furnace for making steel, shall be erected, or after such erection, continued, in any of his Majesty's colonies in *America*; and if any person or persons shall erect, or cause to be erected, or after such erection, continue, or cause to be continued, in any of the said colonies, any such mill, engine, forge, or furnace, every person or persons so offending, shall, for every such mill, engine, forge, or furnace, forfeit the sum of two hundred pounds of lawful money of *Great Britain*.

X. And it is hereby further enacted by the authority aforesaid, That every such mill, engine, forge, or furnace, so erected or continued, contrary to the directions of this act, shall be deemed a common nuisance; and that every governor, lieutenant governor, or commander in chief of any of his Majesty's colonies in *America*, where any such mill, engine, forge, or furnace, shall be erected or continued, shall, upon information to him made and given, upon the oath of any two or more credible witnesses, that any such mill, engine, forge, or furnace, hath been so erected or continued (which oath such governor, lieutenant governor, or commander in chief, is hereby authorized and required to administer) order and cause every such mill, engine, forge, or furnace, to be abated within the space of thirty days next after such information given and made as aforesaid; and if any governor, lieutenant governor, or commander in chief, shall neglect or refuse so to do, within the time herein before limited for that purpose, every such governor, lieutenant governor, or commander in chief, so offending, shall, for every such offence, forfeit the sum of five hundred pounds of lawful money of *Great Britain*, and shall from thenceforth be disabled to hold or enjoy any office of trust or profit under his Majesty, his heirs or successors.

XI. And it is hereby further enacted by the authority aforesaid, That the several penalties and forfeitures by this act inflicted for falsely making any stamp or certificate, herein before directed, or for erecting or continuing any mill, engine, plateing forge, or furnace prohibited by this act, or for refusing or neglecting to abate the same, shall and may be sued for and recovered by action, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*, or in any of the courts of record in his Majesty's colonies in *America* respectively, wherein the offender shall dwell at the time when the offence shall be committed, or at the time when such action, bill, plaint, or information shall be brought; and every such action, bill, plaint, or information, to be brought in *Great Britain*, shall be laid either in the county where any such offence shall be committed, or where the offender shall dwell at the time when such action, bill, plaint, or information shall be brought.

XII. And be it further enacted by the authority aforesaid, That all such penalties and forfeitures shall be applied, one moiety

ty to the uſe of his Maſteſty, his heirs and ſucceſſors, and the other moiety to ſuch perſon or perſons as ſhall ſue for the ſame.

XIII. And it is hereby further enacted by the authority aforeſaid, That all bar iron which ſhall be imported from any of his Maſteſty's colonies in *America* into the port of *London*, by virtue under the authority of this preſent act, ſhall be entered at the cuſtom-
houſe in *London*; and every bar of the ſaid iron ſo entered, ſhall be marked or ſtamped with ſuch mark or ſtamp as the commiſſioners of his Maſteſty's cuſtoms ſhall for that purpoſe order or direct, in three different parts of every ſuch bar (that is to ſay) two of the ſaid marks or ſtamps at the diſtance of one yard from each end of ſuch bar, and the other of them or near the middle thereof.

XIV. And it is hereby further enacted, That if any perſon ſhall counterfeit, or willfully deſtroy or deface, any of the ſaid marks or ſtamps, with an intent to convey or carry the ſame to any place ten miles from any part of the port of *London*, contrary to the true meaning of this act, every perſon ſo offending, and being thereof legally convicted, ſhall forfeit the ſum of one hundred pounds, to be recovered by action of debt, bill, plaint, or information, in any of his Maſteſty's courts of record at *Weſtmiſter*; one moiety thereof to his Maſteſty, his heirs and ſucceſſors, and the other moiety to ſuch perſon or perſons who ſhall ſue for the ſame.

XV. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of *June*, every governor or lieutenant governor, or commander in chief of any of his Maſteſty's colonies in *America*, ſhall forthwith tranſmit to the commiſſioners for trade and plantations, a certificate under his hand and ſeal of office, containing a particular account of every mill or engine for ſlitting and rolling of iron; and every lateing forge to work with a tilt hammer; and every furnace or making ſteel, at the time of the commencement of this act, reſted in his colony; expreſſing alſo in the ſaid certificate ſuch of them as are uſed, and the name or names of the proprietor or proprietors of each ſuch mill, engine, forge and furnace, and the place where each ſuch mill, engine, forge, and furnace is reſted, and the number of engines, forges, and furnaces in the ſaid colony; and if any governor, lieutenant governor, or commander in chief, ſhall neglect or reſuſe ſo to do within fix months after the ſaid twenty fourth day of *June*, every ſuch governor, lieutenant governor, or commander in chief ſo offending, ſhall be ſubject to ſuch penalties and forfeitures, as any governor, or lieutenant governor of any of the ſaid colonies is able to for any offence committed againſt this act, to be recovered in like manner, as is by this act directed for the ſame.

XVI. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, the plaintiff or defendants in any ſuch action or ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence,

dence, at any trial to be had thereupon; and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared; or if judgement shall be given upon a verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have in other cases by law.

Treble costs.

Publick act.

XVII. And be it further enacted by the authority aforesaid, That this act shall be deemed a publick act, and be judicially taken notice of such, by all judges, justices, and other persons whatsoever, without specially pleading the same.

CAP. XXX.

An act for the more easy and speedy recovery of small debts within the Tower Hamlets.

WHEREAS many persons, living, residing, trading, or dealing within the several parishes, liberties, precincts, hamlets, and places herein after mentioned, do contract several debts, which in the whole amount yearly to a great sum of money, and although such debtors are well able to pay their respective debts, yet often refuse so to do, presuming on the discouragements their creditors lie under from the expence they are unavoidably put unto in suing for the same, and the delays they meet with even after judgement; and as providing an easy and speedy method for recovering of small debts, will greatly contribute to the promoting industry, and supporting and encouraging useful credit; may it therefore please your most excellent Majesty, that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for such parishioners or inhabitants of the several and respective parishes, liberties, precincts, hamlets, and places within the said *Tower Hamlets*, (the precinct of the said *Tower-within* only excepted) as have a right to assemble and meet for the choice of officers in their several and respective vestries, or other places of meeting for transacting the publick business of such parishes, liberties, precincts, hamlets, or places, and they or the greater number of them so assembled as aforesaid, are hereby respectively impowered and required on the *Tuesday* next after the feast of *Easter*, or within one month after *Easter*, in the year of our Lord one thousand seven hundred and fifty; and on every *Tuesday* next after the feast of *Easter*, in every succeeding year, to nominate, assign, and appoint in the whole, the number of two hundred and forty of the most substantial and discreet persons residing within their respective parishes, liberties, precincts, hamlets, and places, who shall each be seized of lands, tenements, or hereditaments, of the va-

Parishioners to meet on Tuesday after Easter yearly, and to nominate 240 commissioners, viz. St. Mary Whitechapel, 31; Christ Church, 21; St. Leonard Shoreditch 20; St. John Hackney 18; St. Matthew Bethnal Green 8;



lue of twenty pounds *per annum*, clear of all incumbrances, or
 poſſeſſed of a perſonal eſtate of the value of five hundred pounds
 or more, clear of all incumbrances, to be commiſſioners for the
 purpoſes herein after mentioned and expreſſed in manner fol-
 lowing; *videlicet*, ſuch pariſhioners of the pariſh of *Saint Mary*
Whiſſchapel, to nominate, aſſign, and appoint thirty one of the
 ſaid perſons; ſuch pariſhioners of the pariſh of *Chriſt Church*
 other twenty one; ſuch pariſhioners of the pariſh of *Saint Leo-*
nard Shoreditch, other twenty; ſuch pariſhioners of the pariſh
 of *Saint John Hackney*, other eighteen; ſuch pariſhioners of the
 pariſh of *Saint Matthew Bethnal Green*, other eight; ſuch pari-
 ſhioners of the pariſh of *Saint Mary, Stratford Bow*, other four;
 ſuch pariſhioners of the pariſh of *Bromley Saint Leonard*, other three;
 ſuch pariſhioners of the pariſh of *Saint Anne*, other eight; ſuch
 pariſhioners of the pariſh of *Saint Paul Shadwell*, other ſixteen;
 ſuch pariſhioners of the pariſh of *Saint George*, other eighteen;
 ſuch pariſhioners of the pariſh of *Saint John Wapping*, other ſe-
 venteen; ſuch pariſhioners of the pariſh of *Saint Botolph without*
Aldgate, commonly called the liberty of *Eaſt Smithfield*, other
 fifteen; ſuch pariſhioners of the pariſh of *Trinity Minories*, other
 three; ſuch pariſhioners or inhabitants of the hamlet of *Mile*
End Old Town, other eight; ſuch pariſhioners or inhabitants of
 the hamlet of *Mile End New Town*, other three; ſuch pariſh-
 ioners or inhabitants of the hamlet of *Radcliffe*, other fifteen;
 ſuch pariſhioners or inhabitants of the hamlet of *Poplar and*
Blackwall, other ſeven; (which ſaid laſt-mentioned four hamlets,
 are within the pariſh of *Saint Dunſtan Stebunheath*, otherwiſe *Step-*
ney, in the county of *Middleſex*) ſuch inhabitants of the precinct
 of the *Tower-without*, other ſix; ſuch inhabitants of the precinct
 of *Saint Katherine's*, other ſeven; ſuch inhabitants of the pre-
 cinct of *Well-Cloſe*, other three; ſuch inhabitants of the precinct
 of the *Old Artillery Ground*, other four; and ſuch inhabitants of
 the liberty of *Norton Falgate*, other five; and the churchwardens
 of each of the ſaid reſpective pariſhes or hamlets, and the over-
 ſeers of the poor of each of the reſpective liberties, precincts,
 or places aforeſaid, for the time being, or one of them, ſhall,
 within two days next after every ſuch nomination, cauſe two liſts
 to be made out, of the ſeveral perſons ſo reſpectively nominated,
 aſſigned, and appointed as aforeſaid; and the ſaid reſpective
 churchwardens ſhall cauſe one of the liſts, or a true copy there-
 of, to be fixed and ſtuck up at the church door of each reſpec-
 tive pariſh; and the overſeers of the poor of each liberty, pre-
 cinct, or place aforeſaid, not being a pariſh of itſelf, ſhall alſo
 cauſe one of the ſaid liſts, or a true copy thereof, to be fixed and
 ſtuck up in ſome publick and convenient place, in each of their
 reſpective liberties, precincts, or places aforeſaid, not being a
 pariſh of itſelf; and ſuch churchwardens and overſeers of the
 poor reſpectively ſhall forthwith give or cauſe to be given
 notice to all and every the commiſſioners ſo nominated, aſ-
 ſigned, and appointed, for each of their reſpective pariſhes,
 liberties, precincts, hamlets, and places, of their being ſo
 appointed commiſſioners as aforeſaid; and ſhall alſo within

St. Mary,
Stratford Bow

4;
Bromley St.
Leonard 3;

St. Anne 8;
St. Paul Shad-
well 16;

St. George 18;
St. John Wap-
ping 17;

St. Botolph
without Ald-
gate 15;

Trinity Mino-
ries 3;
Mile End Old

Town 8;
New Town 3;
Radcliffe 15;

Poplar and
Blackwall 7;
Tower with-
out 6;

St. Kather-
rine's 7;
Well Cloſe 3;

Old Artillery
Ground 4;
Norton Fal-
gate 5;

Two liſts to
 be made out;

One to be
 fixed on the
 church door,
 and one in
 ſome publick
 place.

Notice to be
 given to the
 commiſſion-
 ers.

A list to be
hung up in the
court house.

Commission-
ers constituted
a court.

Three to sit
Tuesday and
Friday week-
ly,

and to give
judgement,
&c.

Persons not
appearing on
summons,

or not con-
forming,

may be com-
mitted.

two days after every nomination of commissioners, pursuant to this act, cause a true copy of such lists to be made and wrote fair in one compleat list, taking the several parishes, liberties, precincts, hamlets, and places in order as they stand in this act, and shall stick up the same in some convenient part of the court-house, or other convenient place, to be provided by the said commissioners, or the major part of them, at some general meeting to be held for that purpose; which said persons, so nominated and returned by the said several parishes, liberties, precincts, hamlets, and places respectively as aforesaid, from time to time, are hereby declared, constituted, and appointed to be commissioners to hear and determine all such matters of debt as are herein after-mentioned; and such commissioners are hereby constituted a court of justice, by the name of *The Court of Requests for the Tower Hamlets*; and the said commissioners, or any three or more of them, are hereby authorized, empowered, and required to assemble, sit, and hold the said court twice in every week, *videlicet*, on every *Tuesday* and *Friday*, or oftener, if need be, in a court-house to be provided as aforesaid for that purpose, in the said parish of *Saint Mary Whitechapel*, or in some other convenient place near or thereunto adjoining: and the said commissioners, so to be assigned and appointed for the time being, or any three or more of them, shall have power and authority, by virtue of this act, to give judgement and decree, and to award execution thereupon, with costs, against the bodies, or against the goods and chattels of all and every the person or persons against whom they shall give any judgement or decree, as to them shall seem just in law or equity, so as no person shall remain in custody upon an execution for any longer space of time than forty days.

II. And be it enacted by the authority aforesaid, That if any plaintiff or creditor, defendant or debtor (after being duly warned or summoned to appear in the said court by one of the bea-dles herein after directed to be chosen) shall, without some just cause to be allowed by the said commissioners in court, or any three or more of them, refuse to appear in the said court before the said commissioners, or shall not perform such order as the said commissioners, or any three or more of them, shall make or set down for or concerning such debts as aforesaid, it shall and may be lawful to and for the said commissioners, or any three or more of them, to commit every such person to the common gaol or house of correction for the said county of *Middlesex*, or to the gaol for the liberty of the *Tower of London*, if such person shall reside in the said liberty, there to remain until he, she, or they shall perform the order of the said commissioners, so as no person shall remain in custody for any longer space of time than forty days.

III. And, for the more orderly and regular proceeding in the said court, and that no undue preference may be made or given in summoning the said commissioners to attend the business of the said court, be it further enacted by the authority aforesaid,

ſaid, That the ſaid beadles, or one of them, who are hereby empowered and required, from time to time, ſo to do, ſhall yearly ſummon, or cauſe to be ſummoned, the firſt five perſons out of the firſt ſixty named in the ſaid complete liſt, the firſt five perſons out of the ſecond ſixty named in the ſaid complete liſt, the firſt five perſons out of the third ſixty named in the ſaid complete liſt, the firſt five perſons out of the fourth ſixty named in the ſame liſt (making in all twenty perſons) to attend as commiſſioners of the ſaid court for one calendar month, to commence at and upon the firſt day of *May* in each year; and ſo the like number of five perſons next ſtanding, and ſucceſſively following in each of the ſaid ſixty names, as they ſhall ſtand in order and rotation upon the ſaid complete liſt, to ſerve as commiſſioners from month to month, during the term for which they are ſo choſen commiſſioners.

Commiffion-
ers to attend
monthly.

IV. Provided always, That nothing herein before contained ſhall extend, or be conſtrued to extend, to exclude or debar any of the perſons who ſhall be nominated, appointed, and returned for commiſſioners as aforeſaid, being duly qualified as aforeſaid, from fitting in the ſaid court, although they be not in rotation; but that all ſuch commiſſioners ſhall and may, ſo often as they ſhall reſpectively think fit, fit and give judgement therein; any thing herein before contained to the contrary thereof in any wiſe notwithstanding.

Commiffion-
ers not in ro-
tation may fit.

V. And be it enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and fifty, it ſhall and may be lawful to and for any perſon or perſons who now have, or hereafter ſhall have any debt or debts owing unto him, her, or them, not amounting to the ſum of forty ſhillings, by any perſon or perſons whatſoever, reſiding or inhabiting, or keeping any ſhop, ſhed, ſtall, or ſtand, or ſeeking a livelihood, or trading or dealing within the diſtrict herein before deſcribed, or any part thereof, to cauſe ſuch debtor or debtors, ſo reſiant, inhabiting, or keeping any ſhop, ſhed, ſtall, or ſtand, or ſeeking a livelihood, or trading or dealing, as aforeſaid, to be warned or ſummoned by one of the ſaid beadles, who is hereby appointed, authorized, and required to execute all warrants, precepts, and proceſs of the ſaid court of requests, by perſonal ſervice, or by writing left at the dwelling-houſe, or place of abode, ſhop, ſhed, ſtall, ſtand, or any other place of dealing of ſuch debtor or debtors, to appear before the commiſſioners of the ſaid court, to be held at or in the ſaid court-houſe, or other place to be provided, as aforeſaid; and that the ſaid commiſſioners, or any three or more of them, ſhall, after ſuch ſummons as aforeſaid, have full power and authority, by virtue of this act, from time to time, to make or cauſe to be made, ſuch acts, order or orders, decrees, judgements, and proceedings, between ſuch party or parties, plaintiffs, and his, her, or their debtor or debtors, defendants, touching ſuch debts, not amounting to the ſum of forty ſhillings, as they ſhall find to ſtand with equity and good conſcience; and all ſuch acts, order or orders,

Power to ſue
reſiants for
any debt un-
der 40s.

Beadle to ſum-
mon the debt-
or, &c.

After ſum-
mons the com-
miſſioners to
give judg-
ment.

Orders, &c.
of the court to
be regiſtered.

orders, decrees, judgements, and proceedings, ſhall be entred and regiſtered in a book or books, to be kept for that purpoſe by the clerks of the ſaid court, or one of them, and ſhall be obſerved, performed, and kept in all parts, as well by the plaintiff, as the debtor or defendant.

Commission-
ers may adminiſter oaths to
the parties.

VI. And for the more due and regular proceeding in the ſaid court intended to be eſtabliſhed by this act, it is hereby further enacted, That it ſhall and may be lawful for the ſaid commiſſioners, or any three or more of them, to adminiſter an oath to the plaintiff or defendant, and to ſuch witneſs or witneſſes as ſhall be produced by each party, and alſo to all or any of the officers of the ſaid court, for or concerning any buſineſs relative thereunto, if the ſame commiſſioners, or any three or more of them, ſhall ſo think it meet.

If action for
debt under
40 s. ſhall be
ſued in any
other court,

VII. And be it further enacted by the authority aforeſaid, That if in any action of debt, or action on the caſe upon an *Assumpſit* for recovery of any debt to be ſued or proſecuted againſt any perſon or perſons aforeſaid, in any of the King's courts at *Weſtmiſter*, or elſewhere, out of the ſaid court of requeſts, and it ſhall appear to the judge or judges of the court where ſuch action ſhall be ſued or proſecuted, that the debt to be recovered by the plaintiff in ſuch action doth not amount to the ſum of forty ſhillings, and the defendant in ſuch action ſhall duly prove, by ſufficient testimony, to be allowed by any the judge or judges of the court where ſuch action ſhall depend, that at the time of commencing ſuch action, ſuch defendant was inhabiting and reſiant within the diſtrict herein before deſcribed, or any part thereof, and was liable to be warned or ſummoned before the ſaid court of requeſts for ſuch debt, then, and in ſuch caſe, the ſaid judge or judges ſhall not allow to the ſaid plaintiff any coſts of ſuit; but ſhall award that the ſaid plaintiff ſhall pay ſo much ordinary coſts to the party defendant, as ſuch defendant ſhall juſtly prove before the ſaid judge or judges it hath truly coſt him in defence of the ſaid ſuit.

the plaintiff
to pay coſts;

unleſs the
judge certify
there was a
reaſonable
cauſe of ac-
tion.

VIII. Provided always, and be it enacted by the authority aforeſaid, That where the plaintiff ſhall upon any action brought in any of the King's courts at *Weſtmiſter*, or in any of the courts of great ſeſſion of *Wales*, or counties palatine, obtain a verdict for leſs than forty ſhillings, if the judge or judges, who ſhall try the ſaid cauſe, ſhall certify, that there was a probable or reaſonable cauſe of action for forty ſhillings or more, in every ſuch caſe, the plaintiff ſhall not be liable to pay coſts, but ſhall recover his coſts of ſuit, as if this act had not been made.

then the plain-
tiff to have
coſts.

Method of
proceeding
when any
inſult the
court.

IX. And, for the more effectual eſtabliſhing of the ſaid court of requeſts, and the better enforcing the orders and decrees which ſhall be made by the ſaid commiſſioners; and that the ſaid commiſſioners may be inveſted with proper power and authority, and be free and exempt from any inſults or abuſes; be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall contemptuouſly affront, inſult, or abuſe all or any of the commiſſioners of the ſaid court, during their ſitting

in the said court, it shall and may be lawful to and for the said beadles, or one of them, by order of the said commissioners then sitting, or the major part of them, being three or more, to take such person or persons so offending as aforesaid, into custody, and carry him, her, or them before one or more of his Majesty's justice or justices of the peace for the county of *Middlesex*, if the said offence be committed within the said county; or before one or more justice or justices of the peace for the liberty of his Majesty's *Tower of London*, if the offence be committed within that liberty, to answer such affront, insult, or abuse; and upon the fact alledged being duly proved, upon the oath or oaths of one or more credible witness or witnesses, against him, her, or them, then, and in such case, the said justice or justices shall proceed to punish such person or persons so offending as aforesaid, by fine not exceeding twenty shillings, which fine shall be immediately paid into the hands of the said justice or justices, before whom such offender or offenders shall be carried; and if such offender or offenders shall not so pay the said fine in manner as aforesaid, it shall and may be lawful for the said justice or justices for the said county of *Middlesex*, or the liberty of the *Tower* aforesaid, by warrant under his or their hand and seal, or hands and seals, to commit such offender or offenders to the common gaol, or house of correction for the said county of *Middlesex*, or to the said gaol for the said liberty, where the said offence shall happen respectively to be committed, there to remain for any time not exceeding the space of one calendar month, or until he, she, or they shall have paid the said fine; and such fine, when received by the said justice or justices, shall be immediately paid over into the hands of the churchwardens or overseers of the poor of the parish, liberty, hamlet, precinct, or place, where such offence shall be committed, or where the party shall reside at the time of committing such offence, to be applied towards the relief of the poor of such parish, liberty, precinct, hamlet, or place.

Fine not to exceed 20s.

nor the imprisonment one month.

Application of the fine.

X. And be it further enacted by the authority aforesaid, That the clerks of the said court, or one of them, shall fix, or cause to be fixed or stuck up, in the most publick part of the court house aforesaid, for the said *Tower Hamlets*, or other place where the said commissioners shall sit to do business as aforesaid, a true copy of the preceding clause of this act, to the end that no person or persons shall or may pretend ignorance in the premises.

Copy of the preceding clause to be hung up in the court,

XI. And be it further enacted by the authority aforesaid, That in any cause depending in the said court of requests, whereby he, she, or they, shall commit any wilful or corrupt perjury, and thereof be duly convicted according to law, then every such person or persons shall incur and suffer the like pains and penalties, as any other person or persons convicted of wilful perjury, according to the laws and statutes of this realm.

Penalty of perjury.

XII. And be it enacted by the authority aforesaid, That the commissioners so nominated, assigned, and appointed as aforesaid, shall, 1 May, 1750.

Commissioners to meet on said, 1 May, 1750.

and choofe
clerks, and
beadles.

Commission-
ers disquali-
fied from being
clerks, &c.
On the death,
or refignation
of any of the
clerks or bea-
dles, the com-
missioners to
elect others.

Commission-
ers to be
fsworn.

The oath.

faid, fhall and may meet at the faid court-houfe, or fome other convenient place in the faid *Tower Hamlets*, on *Tuesday* the firft day of *May*, in the year one thoufand feven hundred and fifty, or within one month afterwards, in the forenoon of the fame day; and then and there the faid commissioners, or the greater number of them then prefent, fhall and may, and they are hereby impowered and required by ballot to choofe clerks of the faid court, not exceeding four, nor lefs than two; and alfo beadles of the fame court, not exceeding four; who fhall continue clerks and beadles of the faid court, during fo long time as they fhall behave themfelves well in their refpective offices.

XIII. Provided always, That no commissioner fhall be capable of holding the office of clerk, or any other place of profit belonging to the faid court.

XIV. And be it further enacted by the authority aforefaid, That it fhall and may be lawful for the faid commissioners in court, or the major part of them then prefent, on the next court day after the death or refignation of the faid clerks or beadles, or any or either of them, or fo foon after as the fame is publickly known; and they are hereby required to caufe the whole number of commissioners to be fummoned, who next before fuch death or refignation were nominated and returned as aforefaid (by giving them four days notice at leaft) to meet at the place aforefaid, within twenty days next after their being fummoned as aforefaid; and fuch commissioners at fuch meeting are hereby authorized, impowered, and required by ballot to choofe another perfon or perfons, in the room of fuch clerks and beadles, or any or either of them, fo dying or refigning as aforefaid, for the ufes and purpofes in this act contained; and fo, from time to time, upon every fuch vacancy of the faid office of clerk or beadle, for ever.

XV. And be it further enacted by the authority aforefaid, That no perfon or perfons fhall be capable of acting as a commissioner or commissioners in the execution of the powers given by this act, until fuch time as he and they fhall refpectively have taken an oath to the effect following;

I A. B. do fwear, That I will faithfully, impartially, and honeftly, according to the beft of my judgement, hear and determine fuch matters and things as fhall be brought before me, by virtue of an act of parliament (intituled, An act for the more eafy and speedy recovery of finall debts within the *Tower Hamlets*) without favour or affection to either party; and that I am now feifed of lands, tenements, or hereditaments, of the value of twenty pounds per annum, clear of all incumbrances, or that I am poffeffed of a perfonal eftate of the value of five hundred pounds, clear of all incumbrances whatfoever.

Which oath three of the perfons to be affigned, nominated, and appointed commissioners as aforefaid, are hereby impowered to adminifter, or caufe to be adminiftered, and a memorial thereof fhall be entered in the register of the faid court,

XVI. And

XVI. And be it further enacted by the authority aforesaid, That the several fees and sums of money hereafter limited and expressed, and no more or greater fees shall and may be taken for the respective services of the clerks and beadles; that is to say,

For every summons, to the clerks, three pence; to the beadles, two pence.

For every hearing, to the clerks, three pence.

For calling the defendant before the court, when he or she refuse to appear, to the clerks, two pence; to the beadles, one penny.

For an attachment against the defendant for not appearing to the summons, to the clerks, six pence; to the beadles, one shilling.

For an execution, to the clerks, eight pence; to the beadles, one shilling.

For paying money into court, to the clerks, six pence.

For acknowledging satisfaction in full, to the clerks, four pence.

For acknowledging satisfaction in part, to the clerks, two pence.

For searching the books, to the clerks, two pence.

For a nonsuit on the plaintiff's not appearing, to the clerks, two pence.

XVII. Provided always, That a yearly account shall be given upon oath, by the said several clerks and beadles, before the said commissioners, sitting in court, or any three of them, of the amount of the fees by them severally received; and that if the fees hereby appointed to be taken for the services of the clerks, shall, in any one year, exceed two hundred pounds to each clerk, clear of all charges; and the fees for the services of the beadles, exceed sixty pounds to each beadle, clear of all charges, it shall and may be lawful for the commissioners at a general meeting to be held and summoned for that purpose, to order the surplus to be divided between the clerks and beadles in proportion to their respective sums of two hundred pounds, and sixty pounds *per annum*, and to order for the future that the said fees be reduced, so as to bring in, as near as may be, the said respective sums of two hundred pounds a year to each of the clerks, and the said respective sums of sixty pounds a year to each of the beadles; and if at any time after such reduction, the business of the said court shall decline, so as not to produce the said several sums of two hundred pounds a year to each clerk, and the said several sums of sixty pounds a year to each beadle, it shall be lawful for the said commissioners at a general meeting as aforesaid, to reduce the number of clerks, or increase the fees again, so as they do not at any time exceed the present settled fees.

An account of the fees, to be given yearly, if the same exceed 100l. to each clerk, or 60l. to each beadle, the surplus to be divided, or the fees reduced, &c.

XVIII. And be it enacted by the authority aforesaid, That a Table of the table

fees to be
hung up.

table of the aforefaid fees shall be hung up by the clerks of the faid court, or one of them, in fome publick and conspicuous part of the faid court-houfe, or other place where the faid commissioners shall meet for the purpofes aforefaid, to the end that all perfons concerned may at all times fee and read over the fame; and if the faid clerks or beadles, or either of them, for the time being, shall take or demand any greater or other fees than as above-mentioned, or shall otherwife misbehave himfelf or themfelves in the execution of his or their office, then he or they for every fuch offence shall forfeit and pay fuch fine, not exceeding the fum of twenty pounds, as the faid commissioners, or any three of them shall affefs, to be applied to the ufe of the fick, in the *London* infirmary.

Penalty of tak-
ing greater
fees, &c.

Proceeding
againft clerks,
&c. where the
offence de-
ferves a great-
er punish-
ment.

XIX. And be it further enacted by the authority aforefaid, That upon complaint made by any perfon or perfons, of the misbehaviour or breach of duty of the clerks or beadles, or any or either of them, to be appointed by virtue of this aft, or of any clerk or clerks, beadle or beadles, in taking or demanding any greater or other fees than as above-mentioned; and if it shall appear to the faid commissioners, or the major part of them then prefent, that fuch complaint deserves a greater punishment, then fuch commissioners fo fitting in court are hereby directed and required to caufe the whole number of commissioners to be fummoned to meet as foon as conveniently may be, by notice in writing to be given to all the faid commissioners refpectively by the beadles aforefaid, or any other perfon or perfons the commissioners shall direct, at leaft four days before the holding of fuch meeting; and the faid commissioners fo fummoned, and then prefent, being not lefs than fixty, shall and may examine into the merits of fuch complaint; and if it shall then appear to the faid commissioners, or the major part of them, that fuch clerks or beadles, or any or either of them, have or hath been guilty of misbehaviour or breach of duty as aforefaid, in his or their office, or in taking any greater or other fees than above-mentioned, that then it shall and may be lawful to and for the faid commissioners, or the major part of them, to fufpend or remove fuch clerks and beadles, or any or either of them, from his or their faid office, and to call another general meeting of the whole commissioners, by giving two days notice at leaft, in writing, as aforefaid, and within eight days next after the removal of fuch clerks or beadles, or any or either of them; at which meeting all the commissioners, or the greater part of them, shall and may choofe by ballot a clerk or clerks, beadle or beadles of the faid court, in the room of fuch clerk or clerks, beadle or beadles fo removed as aforefaid.

Certain debts
excepted.

XX. Provided always, That this aft, or any thing herein contained, shall not extend to any debt for any rent upon any leafe of lands or tenements, or any other real contract, nor to any other debt that shall arife by reafon of any caufe concerning teftament or matrimony, or any thing concerning or properly belonging to the ecclefiaftical court, albeit the fame shall be un-
der

der forty shillings; any thing herein before contained to the contrary notwithstanding.

XXI. And be it further enacted by the authority aforesaid, That no action or suit for any debt not amounting to the sum of forty shillings, and recoverable by virtue of this act in the said court of requests, shall be brought against any person residing or inhabiting within the jurisdiction thereof, in any other court whatsoever. No suit for debts recoverable by this act, to be in any other court.

XXII. And whereas the four council of the ancient court of the Marshalsea, and of the court of his Majesty's palace of Westminster, who hold their office for the terms of their natural lives respectively, and who have been made chargeable by parliament, and actually assessed to the land tax for their freeholds in their said offices, will sustain great loss by this present act, unless a compensation shall be made to them for the same; be it therefore enacted by the authority aforesaid, That the clerks of the said court of requests for the time being shall, and they are hereby required out of the fees limited or to be paid be limited to the said clerks by virtue of this present act, to pay or cause to be paid unto *John Lawson, Lomax Martyn, George Weller, and John Le Gros Spelman*, esquires, the present council of the said ancient court of the Marshalsea, and the court of his Majesty's palace of Westminster, as a compensation for the loss they will sustain in their said offices by this present act, for and during the terms of their respective natural lives, the yearly sum of thirty pounds a piece, of lawful money of Great Britain, (free and clear of and from all charges and deductions whatsoever) to be paid to them severally and respectively, yearly and every year, at or upon the several feast days following; that is to say, the feast of Saint Michael the Archangel; the feast of the nativity of our Lord Christ; the feast of the annunciation of the Blessed Virgin Mary; and the feast of the nativity of Saint John the Baptist, by even and equal portions; the first payment thereof to begin and to be made at or upon the feast day of Saint Michael the Archangel, in the year of our Lord one thousand seven hundred and fifty. 30l. per ann. to be paid yearly to each of the four council of the Marshalsea.

XXIII. Provided always, That nothing in this act contained shall extend, or be construed to extend, to restrain the ancient court of record, held for and within the liberty of the Tower of London, from holding plea of any personal action, the cause of which shall arise within the precinct of the fortress of the said Tower commonly called *The precinct of the Tower within*, or from holding plea of any personal action (other than actions for debts not amounting to the value of forty shillings, the cause of which shall arise in any part of the liberty of the said Tower, out of the said precinct of the Tower within) or to take away or abridge any jurisdiction, authority, privilege, immunity, or exemption, which the chief governor of the said Tower, or his deputy or deputies, or any officers or ministers, or inhabitants within the said liberty, enjoys or enjoy, or ought to enjoy by virtue of any law, usage, custom, prescription, grant, charter, or commission; any thing in this act to the contrary thereof in any wise notwithstanding. This act not to extend to the precinct of the Tower within, &c.

XXIV. And

Limitation of
actions.

XXIV. And be it enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons for any matter or thing done or to be done in pursuance of this act, then and in such case such action or suit shall be brought or commenced within three calendar months next after the fact committed, and not afterwards, and the defendant or defendants in such action or suit to be brought shall and may plead the general issue, and give this act, and the special matter in evidence, at any trial to be had thereupon; and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or actions, suit or suits; or if upon verdict or demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have such remedy for the same, as any defendant or defendants hath or have in any other cases by law.

General issue.

Treble costs.

Publick act.

XXV. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and all other persons whatsoever, without specially pleading the same.

C A P. XXXI.

An act for extending and improving the trade to Africa.

Free trade to
Africa.

WHEREAS the trade to and from Africa is very advantageous to Great Britain, and necessary for the supplying the plantations and colonies thereunto belonging with a sufficient number of negroes, at reasonable rates; and for that purpose the said trade ought to be free and open to all his Majesty's subjects; therefore be it enacted, and it is hereby enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for all his Majesty's subjects to trade and traffick to and from any port or place in Africa, between the port of *Sallee in South Barbary*, and the *Cape of Good Hope*, when, and at such times, and in such manner, and in or with such quantity of goods, wares, or merchandizes, as he or they shall think fit, without any restraint whatsoever, save as is herein after expressed.

Traders in-
corporated,
&c.

Their name,

II. And be it enacted by the authority aforesaid, That all his Majesty's subjects, who shall trade to or from any of the ports or places of *Africa*, between *Cape Blanco*, and the *Cape of Good Hope*, shall for ever hereafter be a body corporate and politick; in name, and in deed, by the name of *The Company of Merchants trading to Africa*; and by the same name shall have perpetual succession, and shall have a common seal; and by that name shall and may sue, and maybe sued, and do any other act, matter and thing, which any other body corporate or politick, as such, can or may lawfully do.

III. And

III. And, the better to uphold, maintain, and defend, all such forts, factories, and settlements, on the coast of *Africa*, as now are erected, or hereafter shall be thought necessary to be erected, for the securing and better carrying on the said trade, be it further enacted by the authority aforesaid, That all and every the *British* forts, settlements, and factories on the coast of *Africa*, beginning at *Cape Blanco* aforesaid, and extending from thence to the *Cape of Good Hope* inclusive, and all other the regions, countries, dominions, territories, continents, coasts, ports, bays, rivers, and places, lying and being within the aforesaid limits, and the islands near adjoining to those coasts, and comprehended within those limits, which are now claimed by, or are in the possession of, the *Royal African Company* of England, or which may be hereafter in the possession of the company hereby established, shall, from and after the passing of an act of parliament for divesting the *African* company of their charter, forts, castles, and military stores, canoe men, castle slaves, and all other their property on the coast of *Africa*, their goods and merchandizes only excepted, be absolutely vested in the said new company established by this act and their successors, to the intent and purpose that the said forts, settlements, and premises, shall be employed at all times hereafter, only for the protection, encouragement, and defence, of the said trade.

The forts, settlements, and factories, &c. of the *Royal African Company* vested in the new company.

IV. And it is hereby further enacted by the authority aforesaid, That it shall not be lawful for the company established by this act, to trade to or from *Africa* in their corporate or joint capacity, or to have any joint or transferrable stock, or to borrow or take up any sum or sums of money on their common seal.

Company prohibited to trade in their joint capacity, &c.

V. And be it further enacted by the authority aforesaid, That the direction and management of the affairs of the said company hereby established, shall be in and by a committee of nine persons, to be chosen annually, as hereafter is mentioned, who are to meet and assemble together, from time to time, as often as shall be necessary, at some place in the city of *London*; and the committee-men for the time being, or any five or more of them, or the major part of them so assembled, shall, from and after the passing such act of parliament for divesting the *African* company of their charter, forts, castles, and military stores, canoe men, castle slaves, and all other their property on the coast of *Africa*, as aforesaid, or before the passing such act, so far as the said *African* company shall consent thereto, have full power, from time to time, to make orders for the governing, maintaining, preserving, and improving the forts and factories already built, or which hereafter shall be built, within the limits aforesaid; and to appoint governors, deputy governors, or any other officers, civil or military, of or for the said forts and settlements, and them to remove and displace when they shall see fit, and to make orders and regulations for the better government of the said officers and servants abroad, and to take security from them for their good behaviour, and for their paying due obedience to the regulations established by this act, and to such other orders and regulations as the said committee shall, from time to time, think

A committee of nine to be chosen annually to manage the affairs of the company.

No restraint
to be laid on
the trade, or
traders.

proper to make; so as no orders or regulations, to be made by the said committee, shall tend to lay any restraint whatsoever on the said trade or traders to or from *Africa*, contrary to the true intent and meaning of this act.

Traders who
shall pay 40s.
for their free-
dom in the
company, to
meet on 10
July, and
chooſe the firſt
committee;

VI. And be it further enacted by the authority aforeſaid, That the traders, or perſons intending to trade to or from *Africa*, who, in order to be admitted into the freedom of the ſaid company, ſhall, on or before the thirtieth day of *June*, one thouſand ſeven hundred and fifty, have paid into the hands of the chamberlain of the city of *London*, the ſum of forty ſhillings each for their freedom in the ſaid company, ſhall or may meet and aſſemble on the tenth day of *July*, one thouſand ſeven hundred and fifty, in the guildhall of the ſaid city; and they, or the major part of them ſo aſſembled, ſhall or may chooſe three perſons: and that in like manner ſuch others of the traders to or from *Africa* who, in order to be admitted into the freedom of the ſaid new company, ſhall, on or before the ſaid thirtieth day of *June*, one thouſand ſeven hundred and fifty, have paid into the hands of the clerk of the merchants hall in the city of *Briſtol*, the ſum of forty ſhillings each for their freedom of the ſaid company, ſhall or may aſſemble on the tenth day of *July*, one thouſand ſeven hundred and fifty, in ſome convenient place in the city of *Briſtol*; and they, or the major part of them ſo aſſembled, ſhall chooſe three other perſons; and that in like manner ſuch other of the traders to or from *Africa*, who, in order to be admitted into the freedom of the ſaid new company, ſhall, on or before the ſaid thirtieth day of *June*, one thouſand ſeven hundred and fifty, have paid into the hands of the town clerk of *Liverpool*, the ſum of forty ſhillings each for their freedom in the ſaid company, ſhall or may aſſemble on the ſaid tenth day of *July*, one thouſand ſeven hundred and fifty, in the town hall of *Liverpool*; and they, or the major part of them, who ſhall be ſo aſſembled, ſhall and may chooſe three other perſons; and the nine perſons ſo to be choſen in the manner before expreſſed, ſhall be the firſt annual committee for managing the affairs of the ſaid company, and ſhall continue in office for one year, and until others ſhall be choſen in their room reſpectively, as is herein after mentioned.

who are to
continue for
one year.

Elections to be
on 3 July
yearly.

VII. And it is hereby further enacted by the authority aforeſaid, That in all future elections, the ſaid committee of nine perſons ſhall annually, on the third day of *July* in every year, be nominated and choſen as follows; that is to ſay, three of the ſaid committee ſhall be nominated and choſen by the major part of the freemen of the ſaid company, admitted to the freedom of the ſaid company in *London*, who ſhall aſſemble for that purpoſe at *London*; three other perſons to be of the ſaid committee, ſhall be choſen and nominated by the major part of the freemen of the ſaid company admitted to the freedom of the ſaid company in *Briſtol*, who ſhall aſſemble for that purpoſe at *Briſtol*; and three other perſons to be of the ſaid committee, ſhall be choſen and nominated by the major part of the freemen of the ſaid company admitted to the freedom of the ſaid company in the com-

town of *Liverpool*, who ſhall aſſemble for that purpoſe at *Liverpool*.

VIII. And be it further enacted, That it ſhall and may be lawful for the major part of the freemen of the ſaid company, made free at *London*, aſſembled for that purpoſe at *London*, from time to time, at their will and pleaſure, to chooſe and ſupply one or more committee-man, or committee-men, in the place or places of any of the committee-men by them choſen, that ſhall happen to die, be removed, or reſuſe to act; and in like manner, That it ſhall and may be lawful for the major part of the freemen of the ſaid company, made free at *Briſtol*, aſſembled for that purpoſe at *Briſtol*, from time to time, at their will and pleaſure, to chooſe and ſupply one or more committee-man or committee-men, in the place or places of any of the committee-men by them choſen, that ſhall happen to die, be removed, or reſuſe to act: and that it ſhall and may be lawful for the major part of the freemen of the ſaid company, made free at *Liverpool*, aſſembled for that purpoſe at *Liverpool*, from time to time, at their will and pleaſure, to chooſe and ſupply one or more committee-man, or committee-men, in the place or places of any of the committee-men by them choſen, that ſhall happen to die, be removed, or reſuſe to act: and publick notice ſhall be inſerted in the *London Gazette*, previous to every ſuch election, by the committee for managing the affairs of the ſaid company, of the time and place when and where ſuch election is to be had, ten days at leaſt before the time appointed for ſuch election.

Power to chooſe other committee-men in the room of thoſe who ſhall die, &c.

10 days notice of ſuch election to be given in the *London Gazette*.

IX. Provided always, and be it further enacted by the authority aforeſaid, That in caſe at the time appointed for the firſt and other elections of the ſaid committee-men, the traders admitted to their freedom, in any one or more of the ſaid cities and towns reſpectively, ſhall neglect to proceed to ſuch choice; in that caſe, ſuch other of the perſons who ſhall be choſen by the traders admitted to their freedom in the other of the ſaid cities or towns, or the major part of them, though leſs in number than nine, ſhall or may act as the committee for managing the affairs of the ſaid company, until the next annual election; and that all elections of committee-men for managing the affairs of the ſaid company, ſhall be determined by the majority of votes then preſent; and that in all caſes, where the third day of *July* ſhall happen to fall or be on a *Sunday*, the annual election of committee-men ſhall be had and made on *Monday* the fourth day of *July*.

If no election be made by the traders of one town ſuch as ſhall be elected by the other, ſhall manage the affairs.

Where 3 *July* ſhall be a *Sunday*, the election to be on the 4th.

X. Provided always, That in caſe of an equality of votes, the lord mayor of *London*, the mayor of *Briſtol*, and the mayor of *Liverpool* reſpectively, ſhall and may determine which of ſuch perſons ſhall be the committee-man or committee-men.

In equality of votes, the mayor to determine.

XI. And be it further enacted by the authority aforeſaid, That the ſaid committee for managing the affairs of the ſaid new company, ſhall meet together for the firſt time on the firſt *Monday* in *Auguſt*, one thouſand ſeven hundred and fifty, and ſhall then ſettle the manner of their future meetings, and of the notices and ſummons to be ſent for that purpoſe, from time to time,

First meeting of the committee.

No orders of the committee to which all are not consenting, to be valid, unless confirmed at a subsequent meeting,

to the members of the said committee; and no order or resolution of the said committee, to which all the members of the said committee, present at the making thereof, shall not be consenting, shall be valid or binding, unless the same shall be approved and confirmed at a subsequent meeting of the said committee, at which all the members of the said committee shall be present, or of which, such of them as shall happen to be absent, shall have had the usual notice.

chairman to be chosen.

Committee-men absent at the choice of the chairman not to vote.

XII. And be it further enacted by the authority aforesaid, That on every meeting of the said committee, when the time prefixed for entering on business shall be come, and the said nine committee-men, or so many of them as are necessary to make a committee, shall be present, before they enter upon business, a chairman shall be chosen by lot out of the committee-men then present, who shall take the chair for that meeting; and shall not be permitted to give his vote that day on any question before the said committee, unless there shall happen to be an equality of votes on any question or questions; in all which cases the said chairman shall be at liberty to give his vote on which side of the question he shall judge to be right; and to prevent any of the said committee-men from being designedly absent when a chairman is to be chosen, every committee-man, who shall not be present at the choice of the chairman, shall not be permitted to vote on any question before the committee that day; but shall be at liberty to be present, and give his opinion in all matters whatsoever, as any other committee-man may do: and all matters which shall be decided by a plurality of votes of such committee-men as shall be intitled to vote, shall be deemed and taken to be decided by a majority of committee-men present; any thing in this act to the contrary notwithstanding.

Traders paying 40s. on or before 30 June, 1750, to be the first members, &c.

XIII. And be it further enacted by the authority aforesaid, That such of his Majesty's subjects, who shall, on or before the said thirtieth day of *June*, one thousand seven hundred and fifty pay to the chamberlain of *London*, the clerk of the merchants hall in *Bristol*, or the town clerk of *Liverpool* respectively, the sum of forty shillings each, for their freedom in the said company, shall be the first freemen and members of the said new company established by this act: and that, from and after the said thirtieth day of *June*, one thousand seven hundred and fifty, any other of his Majesty's subjects, trading, or intending to trade to or from *Africa*, shall and may be admitted to be a free-man or member of the said company at *London*, *Bristol*, or *Liverpool*, upon his payment of the sum of forty shillings for the same, to such person or persons, as the committee for managing the affairs of the said company shall, and are hereby required, from time to time, to appoint to receive the same in *London*, *Bristol*, or *Liverpool*, respectively.

Persons admitted after 30 June, not to vote at any election for a year.

XIV. Provided always, That no persons so admitted, after the said thirtieth day of *June*, one thousand seven hundred and fifty, shall be intitled to vote for the election of any committee-man, until one year after such admission.

XV. And be it further enacted by the authority aforesaid, That the chamberlain of *London*, the clerk of the merchants hall in *Bristol*, the town clerk of *Liverpool*, and such other persons whom the committee for managing the affairs of the said company shall, at any time hereafter, appoint to receive the said sums of forty shillings for the admission of persons into the freedom of the said company, shall, upon their receiving the same, sign and deliver a certificate to the person paying the same, certifying his having paid the sum of forty shillings for his being admitted into the freedom of the said company; for which certificate there shall be paid to the person appointed to receive the said sums of forty shillings, the sum of two shillings and six pence, and no more, as a fee or reward for his trouble therein, and the names and places of abode of every person paying the said sum of forty shillings, shall be entered in any book or books which the person receiving the same is hereby required to keep for that purpose.

Certificates of persons admitted.

Fee of the certificate.

Names of the company to be entered.

XVI. And be it further enacted by the authority aforesaid, That the chamberlain of *London*, the clerk of the merchants hall at *Bristol*, and the town clerk of *Liverpool*, shall respectively pay over the several sums of forty shillings, which shall have been paid to them for freedoms of the said company, to such person or persons whom the committee of the said company shall authorize to receive the same; and shall, at the same time, deliver over the books, in which the names and places of abode of the persons who shall have respectively paid the said sums of forty shillings each for their freedoms in the said company, shall have been entered, to such person or persons as the said committee shall appoint to receive the same.

Sums received for freedoms, to be paid to the order of the committee, &c.

XVII. And be it further enacted by the authority aforesaid, That the person or persons who shall, from time to time, be appointed by the said committee at *London*, *Bristol*, and *Liverpool*, to receive the said sums of forty shillings, payable by persons on their being admitted into the freedom of the said company, shall annually, or oftener, if required by the said committee, pay and deliver over all such sums, which shall have been paid to them respectively for freedoms in the said company, together with lists of the names and places of abode of the persons from whom they shall have respectively received the same, to the said committee, or as they shall, from time to time, direct.

Receivers to pay the same annually, and to deliver lists of the names,

XVIII. And be it further enacted by the authority aforesaid, That a true and exact list shall, from time to time, be made and kept at the office or place where the said committee shall transact their business in *London*, of the names and places of abode of all persons admitted into the freedom of the said company, distinguishing the place where each person was admitted; which list shall annually, ten days at least before the annual elections, be printed and delivered, without fee or reward, to such of the persons admitted into the freedom of the said company, who shall desire the same.

list of the company to be kept at the office,

and to be printed annually before the elections.

XIX. And be it further enacted by the authority aforesaid,

None to be
chosen into
the committee
above 3 years
fucceffively,
&c.

or to trade in
partnership,
&c.

Committee
may veft the
money in the
purchase of
goods to be
fent to *Africa*,
for the ufe of
the settle-
ments ;

but not carry
on a trade to
and from *Africa*.

Books of the
receipts and
payments to
be opened.

The commis-
fioners for
trade may
remove any of
the commit-
tee-men, offi-
cers, &c.

On removal
of a commit-
tee-man, no-
tice to be
given.

Commiffion-
ers to fummon
and hear any

That no perfon fhall be capable of being chofen, or acting as a committee-man, above three years fucceffively ; and two or more perfons, who fhall be in copartnerfhip in trade, fhall not be capable to be chofen or act as committee-men, during the fame time or year : and the faid nine perfons or any of them, fhall not, during fuch time as they fhall be of the faid committee, in any manner, directly or indirectly, trade jointly, or in copartnerfhip to *Africa*, or lade, or caufe to be laden, any goods or merchandizes on board the fame fhip, in which any one of the faid nine committee-men fhall, for that voyage, have before laden goods to be carried to any place in *Africa*.

XX. And be it further enacted, That the faid committee fhall and may, from time to time, inveft fuch part of the money in their hands, as they fhall judge neceffary, in the purchafe of goods and ftores, which, after the fame are infured, which they are hereby impowered and required to procure to be done, are to be fent and exported to *Africa*, there to be fold, difpofed of, and applied for the fole ufe, prefervation, and improvement of the forts and fettlements there, and for the payment of the falaries and wages to the officers, and other perfons employed for keeping and preferving the faid forts and fettlements, and not otherwife : but it fhall not be lawful for the faid committee to carry, or caufe to be carried, or exported from *Africa*, any negroes, or other goods, in return for the faid goods they fhall fo export from *Great Britain*, or in any other manner to carry on any trade to or from *Africa* : and a juft and true account of the faid committee's receipts and payments fhall, from time to time, be kept in a book or books for that purpofe : which book or books fhall be open at the office or place where the faid committee fhall tranfact the affairs and bufinefs of the faid company in *London*, to be perufed at all feafonable times by any perfon admitted to the freedom of the faid company, without fee or reward.

XXI. And be it further enacted by the authority aforefaid, That the commiffioners for trade and plantations are hereby authorized and impowered from time to time, in cafe any of the faid committee-men, or any officer or fervant appointed by them, fhall be guilty of any mifbehaviour, contrary to the true intent and meaning of this act, to remove any of the faid committee-men, officers, or fervants, from their employments, giving notice of fuch removal, and fpecifying the caufes thereof, to the faid committee, and when a committee-man, fhall be fo removed, the faid committee fhall give notice forthwith to the mayor of the city or town by whom the faid committee-man was chofen, to elect another in the room or ftead of him fo removed ; and if an officer or fervant fhall be fo removed, the faid committee are hereby impowered to appoint another in the room or ftead of him or them fo removed.

XXII. Provided nevertheless, That whenever any committee-man fhall be charged with mifbehaviour in his employment, the commiffioners for trade and plantations fhall fummon fuch com-

committee-man to appear before them, and shall, in case he attends, hear such committee-man; and upon his attendance or default, examine into the truth of the said charge, before they shall remove him from his employment as aforesaid; any thing herein contained to the contrary notwithstanding.

XXIII. And be it further enacted by the authority aforesaid, That the said committee shall, and they are hereby required to render a just and perfect account of all their transactions once a year, to the commissioners for trade and plantations, or oftener, if thereunto required by the said commissioners, or any three or more of them; in which shall be contained an account of all the monies received and disbursed by the said committee, or their order; and also an account of all the orders and instructions given by the said committee, as well to their officers and servants in *Great Britain*, as on the coast of *Africa*; and all the answers given thereto by the said officers and servants employed by the said committee; and of all other matters or thing whatsoever which shall be transacted by the said committee.

XXIV. And be it further enacted by the authority aforesaid, That the said committee, out of the monies they shall receive, shall deduct annually a sum, not exceeding the sum of eight hundred pounds, for defraying, in the first place, the salaries of their clerks and agents at *London*, *Bristol*, and *Liverpool*, the house-rent of their office in *London*, and all other charges of management, commission or agency, in *England*; and the residue of the said eight hundred pounds shall be shared and divided amongst themselves, as they shall judge proper, as a compensation for their trouble and attendance in the said office of committee-men; and the rest of the monies which the said committee shall receive for the admission of persons into the freedom of the said company, or otherwise, shall be applied and appropriated wholly to the maintenance, support, and improvement of the forts and settlements already built, or which hereafter shall be built, on the coast of *Africa*, which shall be in the possession of the said company; and for keeping them in good repair; and for providing ammunition, and other stores, and officers and soldiers to defend the same; and for paying the said officers and soldiers; and to and for no other use or purpose whatsoever.

XXV. And be it further enacted by the authority aforesaid, That the said committee shall, within one month after the expiration of the year for or during which they shall have been chosen committee-men, lay before the curfitor baron of the court of *exchequer*, an account of all the money received by the committee during the preceding year, and of the application thereof, upon oath; and the said curfitor baron shall, within one month after the said account shall be laid before him, examine, pass, and audite the same; and for the better discovering of the truth of such account, the said curfitor baron is hereby empowered to examine any of the said committee-men, and such other person or persons as he shall judge necessary, upon oath,

oath, touching the articles or particulars in ſuch account expreſſed, or ſuch of them as the ſaid cuſtor baron ſhall think fit; which account, ſo audited and paſſed by the cuſtor baron, ſhall be final and concluſive, and ſhall be a full and abſolute diſcharge to the ſaid committee-men, without their being compelled to give or render any further or other account thereof; and the ſaid committee ſhall, every ſeſſion of parliament, lay before the parliament a copy of ſuch annual account, audited as aforeſaid, and of all orders and regulations made by them in the preceding year, relating to the ſaid forts and ſettlements, or the government of their officers or ſervants employed therein; and copies of every ſuch annual account, orders, and regulations, ſhall be annually laid before a general meeting of the members of the ſaid company, to be had in *London, Briſtol, and Liverpool* reſpectively; of which fourteen days notice ſhall be previously given in the *London Gazette*.

XXVI. And be it further enacted by the authority aforeſaid, That no officer, or any other perſon to be employed by the ſaid committee, at any of the forts or ſettlements built or to be built in *Africa*, ſhall at any time hereafter, in any manner, or on any pretence, obſtruct or hinder any of his Maſteſty's ſubjects in trading; and that the forts, warehouſes, and buildings, already erected, or which ſhall hereafter be erected, by the ſaid company, ſhall and may at all times hereafter be free and open to all his Maſteſty's ſubjects, to be uſed as warehouſes for depoſiting gunpowder, gold, elephants teeth, wax, gums, and drugs, and no other goods.

XXVII. Provided nevertheless, That the ſaid forts, warehouſes, and buildings, may and ſhall, in caſe of neceſſity or danger, be free and open to all his Maſteſty's ſubjects, for the ſafety of their perſons, and ſecurity of all their effects whatſoever.

XXVIII. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any of his Maſteſty's ſubjects trading to *Africa*, for the ſecurity of their goods or ſlaves, to erect houſes and warehouſes, under the protection of the ſaid forts, or elſewhere in any other part of *Africa* within the limits aforeſaid, for the better carrying on of his or their trade there; which houſes and warehouſes ſhall be the property of the perſon or perſons who ſhall build the ſame; but ſhall not be diſpoſed of, or lett, to any foreigner whatſoever.

XXIX. And be it further enacted by the authority aforeſaid, That no commander or maſter of any ſhip trading to *Africa*, ſhall by fraud, force, or violence, or by any other indirecſt practice whatſoever, take on board, or carry away from the coaſt of *Africa*, any negro or native of the ſaid country, or commit, or ſuffer to be committed, any violence on the natives, to the prejudice of the ſaid trade; and that every perſon ſo offending, ſhall, for every ſuch offence, forfeit the ſum of one hundred pounds of lawful money of *Great Britain*; one moiety thereof to the uſe of the ſaid company hereby eſtabliſhed, and their ſucceſſors,

and a copy thereof, and of their proceedings, before the parliament,

and before a general meeting.

Traders not to be obſtructed.

The buildings to be free for warehouſes;

and for ſafety of their perſons.

Traders may build houſes under the protection of the forts.

Penalty on matters of violence, &c. on the natives.

cessors, for and towards the maintaining the said forts and settlements, and the other moiety to and for the use of him or them who shall inform or sue for the same.

XXX. And be it further enacted by the authority aforesaid, That the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain* for the time being, shall, from time to time, give instructions to the captains of such of his Majesty's ships of war as shall be stationed or ordered to cruise within the limits aforesaid, from time to time, to inspect and report to them the state and condition in which the said forts and settlements shall be; and the officers of such forts are required to permit such captains to view and inspect the same; and copies of all such reports shall, every session of parliament, be laid before parliament.

Instructions to be given to captains of men of war, to inspect the condition of the forts. Reports to be laid before parliament.

XXXI. And be it further enacted by the authority aforesaid, That such commission officers of his Majesty's navy, as the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain*, for the time being, shall appoint for that purpose, shall inspect and examine the state and condition of the forts and settlements on the coast of *Africa*, in the possession of the said royal *African* company, and of the number of soldiers therein, and also the state and condition of the military stores, castles, slaves, canoes, and other vessels and things, belonging to the said company, and necessary for the use and defence of the said forts and settlements, and shall with all possible dispatch report how they find the same, to the said lord high admiral, or commissioners for executing the said office; and the said company, and their officers and servants, are hereby required to permit the said officers of the navy to make such inspection and examination, and to assist them therein; a copy of which report shall be laid before parliament at the beginning of the next session.

Officers of the navy to inquire into the condition of forts, &c.

XXXII. And be it further enacted by the authority aforesaid, That the accountant general of the high court of *Chancery* for the time being, and such two of the other masters of the said court, as the lord high chancellor of *Great Britain* for the time being, or lord keeper of the great seal of *Great Britain* for the time being, or the lords commissioners for the great seal of *Great Britain* for the time being, shall, from time to time, nominate for that purpose, shall be, and they are hereby constituted and appointed commissioners for examining into the claims of the creditors of the said royal *African* company: and such commissioners, or any two of them, are hereby empowered and required, by the examination of the parties interested, or the testimony of witnesses upon oath, or by the inspection and examination of the books, deeds, writings, and accounts of the said company, and their creditors respectively, or otherwise, according to their discretion, to examine into the said claims, and to enquire and state how and when the same were respectively incurred, and for what consideration the same were originally, really, and *bona fide*, contracted or became due; and upon what

Commissioners appointed to examine the claims of the creditors, &c.

confi-

confideration, and when the claimants became refpectively intituled thereto, together with their opinion of the juftnefs and reafonablenefs of fuch debts refpectively; and for that purpofe all and every the creditors of the faid company are hereby required on or before the refpective days and times hereafter limited and appointed for that purpofe, to deliver or caufe to be delivered in writing under their refpective hands, or the hands of perfons by them refpectively authorized, unto fuch officer or officers, and at fuch place within the city of *London*, as the faid commiffioners, or any two of them fhall appoint, of which notice fhall be given in the *London Gazette*, a juft and true account of their refpective claims upon the faid company, together with a true copy of the fecurities by which they refpectively claim the fame, and fuch of the faid creditors as refide in *Great Britain* or *Ireland*, fhall make their refpective claims on or before the thirtieth day of *Auguft*, one thoufand feven hundred and fifty, and fuch of them as are refident on the coaft of *Africa*, or elfewhere beyond the feas, fhall make their refpective claims on or before the thirtieth day of *December*, one thoufand feven hundred and fifty; and the directors and officers of the faid company, and all other perfons whatfoever, whom the faid commiffioners, or any two of them fhall think fit to examine, touching the matters aforefaid, are hereby ftrictly required and enjoined to attend the faid commiffioners, from time to time, and at all fuch times and places as the faid commiffioners, or any two of them, fhall under their hands require or appoint, and to give the beft and trueft information they can, touching the faid claims, and to produce all books, papers, deeds, or records relating thereto, in their refpective cuftody or power, as the faid commiffioners, or any two of them fhall direct; and the faid commiffioners, or any two of them are hereby authorized to administer an oath, for the better difcovery of the truth of the facts, touching which fuch examination or inquiry fhall be made; and they are hereby required to clofe and finifh their examinations of all the claims that fhall be made by fuch of the faid creditors, who refide in *Great Britain* or *Ireland*, at the fartheft, on or before the thirty firft day of *January*, one thoufand feven hundred and fifty, and of all the claims that fhall be made by fuch of the faid creditors who refide in *Africa*, or any other parts beyond the feas, on or before the twenty eighth day of *February*, one thoufand feven hundred and fifty; and the faid commiffioners fhall lay accounts of their proceedings before the parliament with all convenient fpeed.

Time for
clofing their
examinations.

Accounts to
be laid before
parliament.

Persons fum-
moned not ap-
pearing, &c.
to be com-
mitted.

XXXIII. And be it further enacted by the authority aforefaid, That in cafe any perfon or perfons fummoned to appear before the faid commiffioners, fhall wilfully neglect or refufe to appear and be examined touching the matters and things by this act directed to be inquired into, or fhall refufe to answer, or fhall not fully answer to the fatisfaction of the commiffioners prefent at the time of fuch examination, or any two of them, all queftions put to him, her, or them, by the faid commiffioners, or any two

two of them, as well by word of mouth as by interrogatories in writing; or ſhall reſuſe or wilfully neglect to produce, from time to time, to the ſaid commiſſioners, or any two of them, all books of accounts, papers, and writings, in their cuſtody or power, relating to the matters herein directed to be inquired into by the ſaid commiſſioners, as the ſaid commiſſioners, or any two of them, ſhall, from time to time direct, then and in every ſuch caſe it ſhall and may be lawful to and for the ſaid commiſſioners, or any two of them, by warrant under their hands and ſeals, to commit him, her, or them, to ſuch priſon, as the ſaid commiſſioners, or any two of them, ſhall think fit, there to remain, without bail or mainprize, until ſuch perſon or perſons ſhall ſubmit him, her, or themſelves, to the ſaid commiſſioners, and produce before them ſuch books of accounts, papers, and writings, upon oath, and full anſwer make, to the ſatisfaction of the commiſſioners, to all ſuch queſtions as ſhall be put to him, her, or them, as aforeſaid, according to the true intent and meaning of this act; and the ſaid commiſſioners, in every caſe where any perſon or perſons ſhall be by them committed for reſuſing to anſwer, or for not fully anſwering any queſtion or queſtions put to him, her, or them, by the ſaid commiſſioners, by word of mouth, or upon interrogatories, ſhall in their warrants of commitment ſpecify ſuch queſtion or queſtions.

XXXIV. And be it further enacted by the authority aforeſaid, That the ſaid royal *African* company, their directors, officers, and ſervants, and every of them, ſhall, for the ſpace of one year, to be computed from the ſeventeenth day of *March*, one thouſand ſeven hundred and forty nine, be, and they are hereby reſtrained and diſabled from aſſigning, transferring, or diſpoſing of all or any their military ſtores, ammunition, ſlaves, canoes, veſſels, and things neceſſary for the uſe or defence of their forts and ſettlements; and all actions, ſuits, and proceſs, depending, or which ſhall be hereafter commenced or proſecuted by any perſon or perſons for recovery of any debt or ſum of money due, or pretended to be due, from the ſaid company, or from any perſon or perſons, for or in reſpect of any debt or debts contracted for or on behalf of the ſaid company, ſhall be, and the ſame are hereby ſtayed for the ſpace of one year, to be computed from the ſaid ſeventeenth day of *March*, one thouſand ſeven hundred and forty nine.

The *African* company reſtrained from diſpoſing of ſtores, &c.

Suits for money due by them, ſtayed for 1 year.

XXXV. And whereas David Crichton, late one of the chief agents of the ſaid company at Cape Coaſt Caſtle, now a priſoner for debt in the cuſtody of the ſheriffs of the city of London, did, with two others of the ſaid company's agents or ſervants there (to wit) Thomas Chalmer and James Craik, in the year one thouſand ſeven hundred and forty five, contract a debt at Cape Coaſt Caſtle aforeſaid, of fourteen hundred pounds, for and on the behalf of the ſaid company, for the ſupport and maintenance of their forts and ſervants: and whereas the ſaid David Crichton now ſtands charged in the cuſtody of the ſaid ſheriffs, in execution, on a judgment given in the court of King's Bench, at the ſuit of one William

the bounties
ſhall have
been paid.

paid, That no canvas or ſail cloth ſhall be imported from *Ireland* into this kingdom but in whole or entire bolts or pieces; and if the loops or double threads of the ſaid bolts or pieces ſo imported, which by the ſaid act of parliament made in *Ireland*, in the nineteenth year of his preſent Maſteſty's reign, are directed to be part of the warp at the middle of that end of the web which is laſt in weaving, ſhall be cut off; or if ſuch bolts or pieces be ſtamped with an impreſſion, importing the payment of either of the ſaid bounties, then, and in either of the ſaid caſes, ſuch canvas or ſail cloth ſhall be deemed to have received the ſaid bounty, and be liable to the payment of the reſpective duties laid and made payable by virtue of this act.

Duties to be
paid as long as
the bounties
ſhall continue.

III. And be it further enacted by the authority aforeſaid, That the ſaid ſeveral duties of four pence and two pence a yard by this act impoſed, ſhall continue and be paid on all ſuch canvas and ſail cloth imported into *Great Britain*, for ſo long time as the reſpective bounties allowed by virtue or in conſequence of the ſaid act of the parliament of *Ireland* ſhall continue, and no longer.

Officer of the
cuſtoms may
examine the
pieces on im-
portation, &c.

IV. And be it further enacted by the authority aforeſaid, That upon the importation of any canvas or ſail cloth from *Ireland* into this kingdom, it ſhall be lawful for the collector, comptroller, or other proper officer of the cuſtoms, to open, view, and examine the ſame; and if it ſhall appear that either of the ſaid bounties has been paid, and no regular entry of ſuch canvas or ſail cloth has been made at ſuch port where the ſame was ſo imported, then, and in ſuch caſe, all the canvas or ſail cloth ſo omitted to be entered as aforeſaid, ſhall be forfeited and ſeized by any officer of the cuſtoms.

Method of af-
certaining the
duties.

V. And be it further enacted by the authority aforeſaid, That if any diſpute ſhall ariſe touching the duty which ought to be paid upon ſuch canvas or ſail cloth, ſuch duty ſhall be aſcertained in the ſame manner, and under the ſame forfeitures and penalties, as duties upon goods and commodities imported into this kingdom, and ſubject to payment of duties *ad Valorem*, are aſcertained.

C A P. XXXIII.

An act for preventing delays and expences in the proceedings in the county court of Middleſex; and for the more eaſy and ſpeedy recovery of ſmall debts in the ſaid county court.

WHEREAS ſheriffs in their ſeveral county courts hold plea of all perſonal actions where the debt or damages do not amount to forty ſhillings: and whereas the proceedings in the county courts, in ſuch actions have been found to be vexatious, expenſive, and dilatory: for remedy thereof in the county of *Middleſex*, and for the more eaſy and ſpeedy recovery of ſmall debts within the ſaid county; may it pleaſe your Maſteſty, that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with

with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, it shall and may be lawful to and for the suitors of the county court of *Middlesex*, together with the county clerk of the said county in county court assembled, or the major part of them the said county clerk and suitors so assembled, upon any plaint to be entered in the said county court in any suit where the debt or damages shall not amount to the sum of forty shillings, to proceed in a summary way, and from time to time to make such order or decree, orders or decrees, as shall seem to them, or the major part of them so assembled, to be just and agreeable to equity and good conscience; and for the better discovery of the truth, and more speedy obtaining the end of such suits, be it further enacted by the authority aforesaid, That it shall and may be lawful for the said suitors and county clerk in the county court aforesaid, to examine the plaintiff or plaintiffs, defendant or defendants, and their witnesses, *viva voce*, upon their several corporal oaths.

Suitors of the county court, and the county clerk, may determine suits for debt under 40s. in a summary way; and examine the parties upon oath.

II. And be it enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, it shall and may be lawful for the sheriff of *Middlesex*, by his county clerk, to hold his county court, for the proceeding in pursuance of and under the authority of this act, on *Thursday* in every week, at some convenient place, within the hundred of *Offsulton* in the county of *Middlesex*, and on the first *Tuesday* in every month, at some convenient place within the hundreds of *Isleworth* or *Elthorne*, and on the last *Tuesday* in every month, at some convenient place within the hundred of *Edmonton*; provided always, That the monthly court of the said sheriff shall nevertheless be held and kept as has been accustomed.

Times and places appointed for holding the county court.

III. And be it enacted by the authority aforesaid, That such persons, and such persons only, shall be deemed and taken to be suitors of the said county court to be held by and under the authority of this act, as are qualified to serve on juries on trials at *Nisi Prius* in the courts of *King's Bench*, *Common Pleas*, and *Exchequer*, at *Westminster*, by virtue of the laws in being.

Who shall be deemed suitors.

IV. And be it enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, no plaint to be entered in the said county court, as aforesaid, nor any order or orders or other proceedings to be had thereupon by virtue of this act, shall be removed out of the said court by any writ of *Recordari facias Loquelam*, *Certiorari*, or false judgement, or otherwise howsoever; but such order or orders so to be made by the said suitors and county clerk shall be final and conclusive to all parties whatsoever; provided nevertheless, that all plaints in replevin shall be proceeded in, and removeable in the same manner, as if this act had not been made; provided also, That no person or persons shall be liable to be summoned to the said county court at the suit of any plaintiff or plaintiffs, other

No plaints, or orders of the court, may be removed; except plaints in replevin. Who may be summoned to the court.

Jurisdiction of the county court, not extended by this act.

Parties not conforming, may be committed.

Where an order for payment of money shall be made, the county clerk may issue a precept for levying.

Under sheriff to deliver every month, three lists of 12 freeholders, to attend.

other than such person or persons as was or were liable to be summoned to the county court of *Middlesex*, before this act was made, and that this act shall not extend to give the said county court any jurisdiction to hold plea of, or to hear or determine any action, cause or suit, other than such action, cause, or suit, as the county court of *Middlesex* might have held plea of by plaint before the making of this act.

V. And be it enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, after any plaint shall have been entered as aforesaid, and the defendant or defendants shall have been duly summoned, and either the plaintiff or plaintiffs in the said plaint named, or the defendant or defendants shall neglect or refuse to abide by and perform such order or orders, as the said suitors and county clerk shall, from time to time, make, pronounce, and set down in writing; then it shall and may be lawful to and for the county clerk for the time being, by warrant in writing under his seal, to commit such plaintiff or plaintiffs, defendant or defendants, to the county gaol of the said county, or any other common gaol within the said county, there to remain for the space of three calendar months, or any shorter space of time, at the discretion of the said suitors and county clerk; provided nevertheless, that if the person or persons so committed shall, before the expiration of the time for which he, she, or they shall be committed, perform such order or orders, then he, she, or they shall forthwith be discharged.

VI. And be it enacted by the authority aforesaid, That in any case where the said suitors and county clerk shall have made any order or decree for the payment of money, it shall and may be lawful for the said county clerk, at the prayer of the party prosecuting such order or decree, to issue a precept under his seal in the nature of a writ of *Fieri Facias*, which precept shall be directed to one of the bailiffs attending the said court, who is hereby authorized to levy the sum or sums of money mentioned in such precept, in the same manner as any sheriff may levy money by virtue of any writ of *Fieri Facias* issuing out of any of his Majesty's courts of record at *Westminster*.

VII. And be it enacted by the authority aforesaid, That the under sheriff of *Middlesex* for the time being, after the said twenty fourth day of *June*, shall, six days before the end of every month, deliver to the county clerk of the said county three several lists, each list containing the names and places of abode of twelve persons, to be by the said sheriff taken from the freeholders book of the said county of *Middlesex*, as suitors to attend the said county court for the succeeding month for the several divisions hereafter named; that is to say, one list for the hundred of *Ossulston*, one for the hundred of *Isleworth* and *Elthorne*, and one for the hundred of *Edmonton*; and the county clerk of the said county shall cause the said persons in the said several lists named, to be summoned to attend the said court at the time and place to be mentioned in the said summons; for each

each of which lifts the faid county clerk fhall pay the faid under fherriff the fum of four pence, and no more; and no other fuit- or, except the perfons fo fummoned, fhall have any voice in the faid county court, held under the authority of this act; and no person fhall be liable to be put upon fuch lift to attend the faid court as a fuitor thereof, oftner than once in every year. None to attend but once in a year.

VIII. And be it further enacted, That if any fuitor fo qualified as aforefaid, after having been duly fummoned to attend the faid court, fhall neglect or refuse to attend according to fuch fummons, and there fhall not be a fufficient number of fuitors to proceed in the bufinefs of the faid court, then it fhall and may be lawful for the faid county clerk to amerce fuch fuitor as fhall not attend in any fum not exceeding twenty fhillings, to the ufe of the poor of the parifh where the faid court fhall fit, to be recovered by the overfeers of the poor of the faid parifh for the time being, or any one of them, by plaint in the faid county court, in the fame manner as any other debt or demand may be recovered in the faid court under the authority of this act. Suitors not attending, to be amerced 20 s.

IX. Provided always, and be it enacted by the authority aforefaid, That no person or perfons refiding or dwelling within the hundreds of *Goare, Elthorne, Spelthorne, or Ifleworth*, fhall be liable or obliged to attend the faid county court, either as a fuitor or defendant, in any other place than within the faid hundreds of *Ifleworth* or *Elthorne*; and no person or perfons refiding or dwelling within the hundred at *Edmonton*, fhall be liable or obliged to attend the faid court in any other place than within the faid hundred of *Edmonton*. Where the inhabitants of particular places fhall be liable to attend.

X. And be it further enacted, That every fuitor attending the faid court, before he enters on the hearing or determining any matter in controversy, fhall take the following oath to be adminiftered by the faid county clerk or his deputy, who is hereby authorized to adminifter the fame, that is to fay, Suitors to be sworn.

I Swear, That I will impartially and truly bear and determine the feveral matters in controversy which fhall be brought before me, as a fuitor of this court, according to the evidence, and the beft of my skill and judgement. The oath.

So help me God.

XI. And be it enacted by the authority aforefaid, That if any person or perfons fhall be guilty of any contempt or difturbance of the faid court, fitting the court, then it fhall and may be lawful for the faid fuitors and county clerk to order fuch person or perfons to be taken into the cuftody of any officer or officers attending the faid court, which officer or officers is and are hereby required and authorized to detain fuch person or perfons in his or their cuftody during the fitting of the faid court, and the faid fuitors and county clerk may, if they think fit, amerce fuch person or perfons, in any fum, not exceeding forty fhillings, to the ufe of the poor of the parifh where the faid court fhall Penalty on contempt or difturbance of the court.

shall fit, to be recovered by the overseers of the poor of the said parish for the time being, or any one of them, by plaint, in the said county court, in the same manner as any other debt or demand may be recovered in the said court under the authority of this act.

County clerks,
and officers
fees.

XII. And be it further enacted, That the county clerk for the time being, and the other officers of the said court, shall receive and take the fees under-written, and no other or greater fees, that is to say,

The county clerk for entering the plaint, four pence.
For every warrant, four pence.
For every summons, four pence.
For every order, eight pence.
For entering every order, four pence.
For hearing, six pence.
For execution, four pence.
For entering the appearance of the defendant or defendants, six pence.
The crier for every call, one penny.
The officer for summoning, four pence.
The officer for execution on the goods, two shillings.
On the person, three shillings.

Table of fees A table of which fees shall be publickly hung up in every place to be hung up. where the said county court shall be held.

William
Whittaker
esquire, con-
tinued county
clerk.

Sheriff to ap-
point future
county clerks.

County clerk
to be sworn.

XIII. And be it enacted by the authority aforesaid, That *William Whitaker* of the *Middle Temple, London*, esquire, the present county clerk of the said county of *Middlesex*, shall continue county clerk of the said county, so long as he shall behave himself well in the said office; and from and after the resignation, removal, or death of the said *William Whitaker*, and so often as the said office shall become vacant, the sheriff of the county of *Middlesex* for the time being, shall appoint a sufficient person to be county clerk of the said county, who at the time of such appointment shall be of the degree of an utter barrister of three years standing at the bar, and be approved by the lord high chancellor, lord keeper or commissioners of the great seal, the lord chief justice of the court of *King's Bench*, and the lord chief justice of the court of *Common Pleas* for the time being, or any two of them, which person so appointed and approved shall continue county clerk so long as he shall behave himself well.

XIV. And be it enacted by the authority aforesaid, That the said *William Whitaker* shall, within one month after the said twenty fourth day of *June*, and every succeeding county clerk of the said county, within one month after his appointment and approbation as aforesaid, take the following oath in the county court aforesaid, that is to say,

The oath.

I A. B. do swear, That I will well and truly execute the office of county clerk of the county of *Middlesex*, according to the best of
my

my ſkill and knowledge, and that I will not deny or delay juſtice, and will not by myſelf, or knowingly by any deputies, clerks, or ſervants under me, or by any other perſon or perſons, receive or take, or cauſe, or permit, or ſuffer to be received or taken, any greater or other fees in my ſaid office of county clerk, than ſuch as are directed to be taken in and by an act made in the twenty third year of the reign of his maieſty King George the Second, intituled, An act for preventing delays and expences in the proceedings in the county court of Middleſex, and for the more eaſy and ſpeedy recovery of ſmall debts within the ſaid county court.

So help me God.

Which oath ſhall and may be adminiſtered by any two ſuitors Oath to be re-
preſent, and ſhall be entered in the county court book, and giſtered.
ſigned by the ſaid county clerk, and atteſted by the ſuitors pre-
ſent at the adminiſtration thereof.

XV. And be it enacted by the authority aforeſaid, That it County clerk
ſhall and may be lawful to and for the county clerk of the ſaid may appoint
county for the time being, to appoint his ſufficient deputy to his deputy.
act for him in the ſaid office of county clerk, which deputy in
the abſence of the ſaid county clerk, ſhall have the ſame autho-
rity as if himſelf was preſent, provided nevertheleſs that ſuch
deputy be of the degree of an utter barrifter of three years ſtand-
ing at the bar, and provided ſuch deputy be nominated by the
ſaid county clerk in open court, three weeks at the leaſt before
his appointment, and the majority of the ſuitors preſent at the
ſaid appointment aſſent thereto; and the ſaid deputy ſhall at Deputy to be
every court before he proceeds to the hearing or determining ſworn.
any matter in controverſy, take the oath herein before directed
to be taken by the ſuitors of the ſaid court, except the words,
As a ſuitor of this court, which oath ſhall and may be admini-
ſtered by any two of the ſuitors preſent.

XVI. And be it enacted by the authority aforeſaid, That if Method of
the ſaid county clerk, or any other county clerk of the ſaid coun- proceeding
ty, ſhall not behave himſelf well in his ſaid office, it ſhall and againſt the
may be lawful for any twenty four or more freeholders of the county clerk,
ſaid county, to apply by petition to the lord high chancellor, for misbeha-
viour.
ord keeper or commiſſioners of the great ſeal for the time be-
ing, thereby complaining of the miſbehaviour of the ſaid county
clerk, and upon ſuch petition it ſhall and may be lawful for the
ſaid lord high chancellor, lord keeper or commiſſioners of the
great ſeal, the lord chief juſtice of the court of *King's Bench*, and
he lord chief juſtice of the court of *Common Pleas* for the time
being, or any two of them, to meet together, and to hear and
determine the ſaid complaint in a ſummary way; and in caſe the
ſaid county clerk ſhall be found, upon due examination and
roof before them, to have been guilty of any ſuch miſbehavi-
our in the ſaid office, then and in ſuch caſe, it ſhall and may be
lawful for the ſaid lord high chancellor, lord keeper or commiſſi-
oners, and the ſaid chief juſtices, or any two of them, to remove
the ſaid county clerk from his ſaid office.

Penalty of
perjury.

XVII. And be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall make oath, or give evidence in any cauſe depending in the ſaid county court, whereby he, ſhe, or they ſhall commit wilful and corrupt perjury, and thereof be duly convicted, then every ſuch perſon or perſons ſhall incur and ſuffer the like pains and penalties, as any other perſon or perſons convicted of wilful and corrupt perjury is or are liable to by the laws and ſtatutes now in being.

Officers, &c.
ſued for act-
ing,

may plead the
general iſſue.

XVIII. And be it enacted by the authority aforeſaid, That in caſe any action or ſuit ſhall at any time hereafter be commenced or brought againſt any member, officer, or miniſter of the ſaid county court, or againſt any other perſon or perſons, for or in reſpect of his or their acting in purſuance of or under the authority of this act, That it ſhall and may be lawful for ſuch perſon in every ſuch action or ſuit to plead the general iſſue, and give this act and the ſpecial matter in evidence, and the warrant or precept under the ſeal of the ſaid county clerk, being duly proved in any ſuch action or ſuit, ſhall be deemed a ſufficient proof of the authority of the ſaid county court, and of all other proceedings in the ſaid court, previous to the iſſuing of ſuch warrant or precept; and in caſe the plaintiff or plaintiffs in ſuch action or ſuit ſhall have a verdict paſs againſt him or them, be nonſuit, or diſcontinue his, her, or their action or ſuit the defendant or defendants ſhall, in any of the ſaid caſes, be allowed double coſts.

Double coſts.

In ſuits pro-
ſecuted at
Weſtminſter,
which are lia-
ble to be ſued
in the county
court,

XIX. And be it further enacted, That in caſe any action of debt, or action upon *Assumpsit*, ſhall be commenced and proſecuted after the ſaid twenty fourth day of *June*, in any of his Maſtey's courts of record at *Weſtminſter*, and the defendant or defendants, at the time of ſuch action brought, ſhall live or reſide in the ſaid county of *Middleſex*, and be liable to be ſummoned to the ſaid county court, and the jury upon the trial of ſuch cauſe ſhall find the damages for the plaintiff under the value of forty ſhillings, unleſs the judge ſhall in open court certify on the back of the record, that the freehold, or title to the plaintiff's land, principally came in queſtion, or that an act of bankruptcy principally came in queſtion at ſuch trial, then, and in ſuch caſe, no coſts ſhall be awarded to the plaintiff in ſuch action, but the defendant or defendants ſhall be intitled to, and recover double coſts of ſuit.

the defendant
to have double
coſts.

This act not
to extend to
the Tower, or
the Tower
Hamlets,

XX. Provided always, and be it enacted by the authority aforeſaid, That nothing in this act contained ſhall extend, or be conſtrued to extend, to his Maſtey's *Tower of London*, or the ſeveral pariſhes, liberties, precincts, hamlets, and places, within the *Tower Hamlets*.

or to the city
and liberty of
Weſtminſter.

XXI. Provided always, and be it enacted by the authority aforeſaid, That nothing in this act contained, ſhall extend, or be conſtrued to extend, to the city and liberty of *Weſtminſter*, and the precincts of the ſame, and ſo much of the ſeveral pariſhes of *Saint Clement Danes*, and *Saint Mary le Strand*, in the county of *Middleſex*, as lies without the city and liberty of *Weſtminſter*; and alſo in the precincts of the *Savoy*, adjoining thereto.

XXII. And

XXII. And be it further enacted, That this act shall be deemed a publick act.

C A P. XXXIV.

An act for permitting raw silk of the growth or produce of Persia, purchased in Russia, to be imported into this kingdom from any port or place belonging to the empire of Russia.

WHEREAS by an act made in the fourteenth year of his present Majesty's reign (intituled, An act for opening a trade to and from Persia through Russia) it is (amongst other things) enacted, That from and after the twenty fourth day of June, one thousand seven hundred and forty one, it shall and may be lawful to and for any person or persons, free, or to be free, of the fellowship of English merchants for discovery of new trades, commonly called The Russia Company, exclusive of all others, to bring and import into this kingdom, in British built shipping, navigated according to law, from any port or place of or belonging to the Czar or Emperor of Russia, raw silk, or any other goods or commodities of the growth, produce or manufacture of Persia (provided such manufacture be made of the growth or produce of Persia) being purchased by barter with woollen, or other manufactures, goods, or commodities, exported from Great Britain to Russia, and from thence carried into Persia (gold and silver in coin or bullion excepted) or with the produce arising from the sales of such manufactures, goods, or commodities, so exported to Russia, and carried into Persia, as aforesaid, and not otherwise: and it is by the said act also further enacted, That no silk, or other produce, commodities, or manufactures of Persia, shall be imported into Great Britain through Russia, by virtue of the said act, unless the importer or importers thereof do take an oath, or (being of the people called Quakers) a solemn affirmation, before the collector, customer, or comptroller of his Majesty's customs (who are by the said act impowered to administer the same) at the port or place of importation, that, to the best of his or their knowledge and belief, the silk, and other the produce, commodities, or manufactures of Persia, contained in his or their entry or entries, was or were really and truly purchased by barter with woollen, or other manufactures, goods, or commodities, exported from Great Britain to Russia, and from thence carried into Persia (not being gold or silver in coin or bullion) or with the produce arising from the sales of such woollen, or other manufactures, goods, or commodities, so exported as aforesaid, and not otherwise; and that in default of taking such oath or affirmation, all such silk, or other the produce, commodities, or manufactures of Persia, so imported from Russia, shall be liable to be seized and forfeited, in like manner, as if the same had been imported contrary to the act made in the twelfth year of the reign of King Charles the Second, intituled, An act for encouraging and increasing of shipping and navigation: and whereas, soon after the commencement of the said act made in the fourteenth year of his present Majesty's reign, a very beneficial trade between Great Britain and Persia, through Russia, was opened, by

means whereof great quantities of raw ſilk, and other the goods and commodities, of the growth, produce, or manufacture of *Persia*, were imported into this kingdom, in return for the woollen and other manufactures, goods, and commodities of Great Britain, upon much eaſer and more advantageous terms than ſuch ſilk, and other goods and commodities of the growth, produce, or manufacture of *Persia* could have been otherwiſe procured: but whereas the ſaid trade between Great Britain and *Persia*, through *Ruſſia*, hath been, for ſome time paſt, interrupted, the ſubjects of Great Britain not having been of late permitted to transport Britiſh manufactures, goods, and commodities into *Persia*, through the dominions or territories of or belonging to the empire of *Ruſſia*, in conſequence whereof the importation of raw ſilk, and other commodities of the growth, produce, or manufacture of *Persia*, from *Ruſſia*, hath been diſcontinued: and whereas it would be of great advantage to the trade of this kingdom in general, as well as contribute to the increaſe and improvement of the ſilk manufactures in particular, if raw ſilk of the growth or produce of *Persia*, purchased in *Ruſſia*, were permitted to be imported from any of the countries, dominions, or territories of the empire of *Ruſſia*, in return for woollen and other manufactures exported from Great Britain to *Ruſſia*, although the ſame be not carried from thence into *Persia*; may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of December, one thouſand ſeven hundred and fifty, it ſhall and may be lawful to and for any perſon or perſons, free or to be free, of the ſaid fellowſhip of *Engliſh* merchants for diſcovery of new trades, commonly called, *The Ruſſia Company*, excluſive of all others, to bring and import into this kingdom, in Britiſh built ſhipping, navigated according to law, from any port or place within the countries, territories, or dominions of or belonging to the empire of *Ruſſia*, raw ſilk of the growth or produce of *Persia*, which ſhall be purchased by barter with woollen or other manufactures, goods, or commodities exported from Great Britain to *Ruſſia*, although the ſame be not carried from thence into *Persia*, (gold and ſilver in coin or bullion excepted) or with the produce ariſing from the ſale of ſuch manufactures, goods, or commodities, exported from Great Britain to *Ruſſia* as aforeſaid, and not otherwiſe, upon paying, or ſecuring to be paid, the cuſtoms and other duties now payable for the ſame, by any law now in force, according to ſuch rules, methods, and directions, and in the ſame manner and form, and with ſuch allowances, abatements, diſcounts, and drawbacks, and under ſuch penalties, forfeitures, and diſabilities, as are by law preſcribed and practiſed, on the importation of raw ſilk of the growth or produce of *Persia*, imported into this kingdom from any port or place in the *Levant* ſeas, by any perſon or perſons free of the *Levant* or *Turkey* company; any thing in the ſaid act made in the fourteenth year of his preſent Maſteſty's reign, or

An excluſive right granted to the *Ruſſia* company, to import from *Ruſſia*, raw ſilk of the produce of *Persia*.

in the faid a^ct made in the twelfth year of the reign of King *Charles* the fecond, intituled, *An a^ct for encouraging and increafing of fhipping and navigation*, to the contrary notwithstanding.

II. Provided always, and be it further enacted by the authority aforefaid, That no filk of the growth or produce of *Persia*, shall be imported into *Great Britain*, from any of the countries, dominions, or territories of or belonging to the empire of *Ruffia*, by virtue of this a^ct, unlefs the importer or importers thereof do make oath before the collector, customer, or comptroller of his Majesty's customs (who are hereby impowered and required to adminifter fuch oath) at the port or place of importation, that to the beft of his or their knowledge and belief the filk contained in his or their entry or entries was really and truly purchafed by barter with woollen or other manufactures, goods, or commodities, exported from *Great Britain* to *Ruffia* (not being gold or filver in coin or bullion) or with the produce arifing from the fale of fuch woollen, or other manufactures, goods, or commodities, fo exported as aforefaid, and not otherwife; and in default of making fuch oath, all fuch filk fo imported from any of the countries, dominions, or territories of or belonging to the empire of *Ruffia*, fhall be liable to be feized and forfeited, in like manner as if the fame had been imported contrary to the faid a^ct made in the twelfth year of the reign of King *Charles* the fecond, intituled, *An a^ct for encouraging and increafing of fhipping and navigation*.

Importers to make oath of the filk being purchafed by barter with goods exported from Great Britain to *Ruffia*.

III. Provided alfo, That nothing herein contained fhall extend, or be conftrued to extend, to deprive the corporation of the united company of merchants of *England* trading to the *East Indies*, of any of the powers, privileges, franchifes, and benefits which do or fhall belong to them, or which they could or might have had and enjoyed in any manner whatfoever, if this a^ct had not been made; any thing herein contained to the contrary notwithstanding.

Rights of the *East India* company referved.

IV. And be it further enacted by the authority aforefaid, That this a^ct fhall be deemed a publick a^ct, and fhall be judicially taken notice of as fuch by all judges, juftices, and other perfons whatfoever, without fpecially pleading the fame.

Publick a^ct.

CAP. XXXV.

An a^ct for making a better and more effectual provifion for the relief of the poor, for the cleaning the ftreets, and for keeping a nightly watch, within the parifh of Saint Martin in the Fields, within the liberties of the city of *Westminfter*.

CAP. XXXVI.

An a^ct for fettling a fpend or maintenance upon the rector of the parifh of Saint George the Martyr, in the borough of Southwark, in the county of *Surry*, and his fucceffors, in lieu of tythes.

C A P. XXXVII.

An act for building a bridge croſs the river of Thames, from Hampton Court in the county of Middleſex, to Eaſt Moulſey in the county of Surry.

WHEREAS many miſchiefs and inconveniencies would be prevented, and great benefit would ariſe to the inhabitants of the counties of Middleſex and Surry, and to the publick in general, if a bridge were built croſs the river of Thames, from Hampton Court in the county of Middleſex, to the oppoſite ſhore at Eaſt Moulſey in the county of Surry: and whereas by virtue of letters patent, under the great ſeal, bearing date the twelfth day of March, in the twenty ninth year of the reign of King Charles the Second, James Clarke eſquire is become poſſeſſed of the manor of Eaſt Moulſey, with the appurtenances, in the county of Surry; and alſo all that paſſage of water upon the river of Thames, called Hampton Court Ferry, between Eaſt Moulſey and Hampton Court, and is intituled to the premiſſes for the term of twenty ſix years, or thereabouts, now remaining unexpired, and yet to come, of the term of years granted by the ſaid letters patent: and forasmuch as the ſaid James Clarke hath made his moſt humble ſuit to your Maſteſty, that your Maſteſty would be graciouſly pleaſed to give leave, that he the ſaid James Clarke may build a bridge croſs the ſaid river, from Eaſt Moulſey to Hampton Court; and your Maſteſty hath been graciouſly pleaſed to ſignify your conſent thereto; may it therefore pleaſe your Maſteſty, that it may be enacted, &c.

James Clarke eſquire impowered to build a bridge croſs the Thames from Hampton Court to Eaſt Moulſey; and to turn and make a highway or bridge leading to the ſame; making ſatisfaction for the damage. Five commissioners of the land tax for Middleſex and Surry, to ſettle the damage in caſe of diſpute. If the parties ſhall be diſſatisfied, or reſuſe to treat, the commissioners are to iſſue their precept to the ſheriff, to return a jury, to inquire and aſſeſs the recompence; their verdicts, and the judgements of the commissioners thereon, to be binding. Upon payment, or tender of the money, the premiſſes may be uſed. Commissioners may fine the ſheriff, and others, making default 40s. If in building the bridge any damage ſhall be done, for which no recompence has been made, the commissioners are to aſcertain the ſame by a jury. Care to be taken that there be no overflowing occaſioned by the bridge. Meeting of the commissioners not to be above 6 miles diſtant from the place in queſtion. The bridge veſted in James Clarke, eſquire, and his heirs. Tolls: for every coach, &c. drawn by 6 horſes, 2s. 6d. by 4 horſes, 1s. 6d. by leſs than 4 horſes, 1s. For every waggon, &c. drawn by 4 horſes, 1s. 6d. and by leſs than 4 horſes, 1s. For every horſe, &c. not drawing, 2d. For every foot paſſenger on Sundays, 1d. and on other days one halfpenny. For every drove of neat cattie, 12d. per ſcore. For every drove of calves, hogs, ſheep, or lambs, 6d. per ſcore. If after expiration of the term granted by letters patent to James Clarke, eſquire, the King ſhall pay the expences of building the bridge; the right of the ſaid Clarke and the tolls are to ceaſe, and the bridge is to veſt in his Maſteſty. A paſſage of 260 feet to be left for the water. Wilful damaging the bridge, felony. When the bridge ſhall be dangerous, a ferry may be provided; and to continue no longer than the bridge be repaired. Matters to make good the damage which their boatmen ſhall do to the bridge. Bridge not rateable, &c.

CAP. XXXVIII.

§ for repairing the road from the city of York over Skipbridge to Boroughbridge in the county of York.

Certain tolls granted for 21 years.

CAP. XXXIX.

act for the more effectual repairing and preserving the piers and harbour of Whitby in the county of York.

7 HER EAS by an act of parliament made and passed in the first year of the reign of her late majesty Queen Anne, intituled, An act for the rebuilding and repairing the piers of the town and port of *Whitby* in the county of *York*, several duties were imposed and laid upon all ships and vessels entering within the piers of said port, and upon certain goods and merchandizes therein particularly mentioned, landed within the haven or piers of the said port *Whitby*, and shipped off from *Whitby* aforesaid; and also a duty of one farthing per chaldre on all coals loaded at *Newcastle* upon Tyne, or at *Sunderland*, *Blythe*, *Seaton*-sluice, *Cullercoates*, or other harbour, colliery, or place that was, or was reputed to be a member of the said port of *Newcastle* upon Tyne, for the term of nine years, to commence from the first day of May, one thousand seven hundred and two; with such provisions for the due collecting, accounting for, and applying of the said duties, and other particulars and things relating thereto, and for keeping clear the said port, as in the same act is particularly mentioned and contained: whereas by another act of parliament, made and passed in the seventh year of her said late Majesty's reign, the said act made in the first year of her reign, and all the powers, matters, and clauses contained therein, and all the duties and sums of money thereby granted, made payable, were continued and made payable, and to be in full force and virtue, until the first day of May, which should be in the year of our Lord one thousand seven hundred and twenty three: and whereas by another act of parliament made and passed in the seventh year of the reign of his late majesty King George the First, intituled, An act for the better preserving and keeping in repair the piers of the town and port of *Whitby* in the county of *York*; and explaining and making more effectual the several acts passed for lengthening and repairing the piers of *Bridlington* alias *Burton* in the said county;) all and every the said duties and sums of money granted and imposed by the said act of the first year of her late Majesty, and continued by the said act of the seventh year of her reign as aforesaid, (save and except the said duty of one farthing per chaldre) were made perpetual, and enacted to be paid to the trustees therein named and their successors for ever, to the end that the said harbour of *Whitby* aforesaid might be preserved, kept, and continued in good repair: and whereas by another act of parliament made and passed in the eighth year of his present Majesty's reign, intituled, An act for lengthening the west pier of the harbour of *Whitby* in the county of *York*; and for improving the said harbour;) reciting the said former acts; and also reciting, that by and with

1 Anne, st. 1. c. 19.

7 Anne, private.

7 Geo. 1. c. 16.

8 Geo. 2. c. 10.

with the said several duties and sums of money collected and received by virtue thereof, the said piers had been rebuilt, finished, and completed, and had been preserved, kept, and continued in good repair; but that nevertheless, for some years then past, the entrance into the said port of Whitby had been rendered very narrow and difficult, by reason of a bank of sand which was then, and for some time past had been gathering about the head of the west pier of the said harbour of Whitby, and would in time, if not prevented, intirely stop and choak up the same; and inasmuch as the said sand-bed, and the further increase thereof, in the judgement and understanding of experienced persons might and could only be remedied and prevented by lengthening and extending the said west pier one hundred yards further into the sea; therefore that the said piers and harbour might be improved, and made as secure for colliers and coasting vessels as might be, and for lengthening and extending the said west pier, it was enacted, That from and after the first day of June, one thousand seven hundred and thirty five, the said duty of one farthing per chalder, granted by the said act of the first year of the reign of her said late majesty Queen Anne, and continued by the said act of the seventh year of her reign (but which had ceased from the first day of May, one thousand seven hundred and twenty three) should be paid to the trustees nominated and appointed in or by virtue of the said act of the seventh year of his late Majesty's reign for the term of thirty one years, to commence and be computed from the said first day of June, one thousand seven hundred and thirty five, for the purposes aforesaid; and the said act of the first year of her said late Majesty's reign, and all and every the clauses, provisions, penalties, matters, and things therein contained, touching the said duty of one farthing per chalder thereby granted (save and except as to the powers and authorities thereby vested in the trustees therein named, and to be named pursuant thereto, and a clause therein contained touching the ceasing of the said duty on raising six thousand pounds, as therein mentioned) were revived and continued for the same term of thirty one years, with several other powers and clauses relating to the said duty, and work proposed to be done, and the regulating the said harbour, as by the said several acts, relation thereunto respectively being had, may more at large appear: and whereas pursuant to the said last-mentioned act of the eighth year of the reign of his present Majesty, and by and with the several duties and sums of money collected and received by virtue thereof, and of the other acts aforesaid, the said west pier of the said harbour of Whitby hath been lengthened one hundred yards, and terminated with a strong circular head, whereon is erected a commodious battery, with a strong parapet, and embrasures for five pieces of cannon, which protects the entrance of the said harbour, as also such ships as may be obliged to take shelter in the road from an enemy; but for carrying on the said work, the trustees nominated and appointed in and by virtue of the said several acts of the seventh year of his late Majesty, and eighth year of his present Majesty, have been necessitated to borrow at times, several sums of money on the said fund of one farthing per chalder, amounting to six thousand two hundred pounds, which now remains charged thereon; and the said trustees have employed the rest of the duties granted as aforesaid,

said, as they arose, in rebuilding and repairing other parts of the said piers, and in getting up quarries at the mouth of the said barbour, in order to deepen the channel; which has had so good an effect, that it has encouraged the inhabitants of Whitby aforesaid, and others, to build in the said barbour much larger ships than were formerly used: and whereas the west and east piers have been greatly shaken with the seas; and the marle, or soft rock, on which they were built, is worn away in several places, by the great quantity of sand scoured out of the said barbour, which has occasioned their sinking, and the walls thereof to bulge out; and the communication between the town and the west pier is in a great measure interrupted; and it is absolutely necessary for the security of the said harbour, that the said parts of the said east and west piers should be rebuilt, or repaired and raised; and it would be a great improvement of the said harbour, and tend very much to the advantage and safety of all colliers and coasting vessels, if the remaining part of the stone rock at the entrance of the said harbour was taken away, and the way repaired and made sufficient, from the said town of Whitby to the said west pier, with proper moorings for ships along the same; but as the expence of the said works cannot be provided for without some additional duty, the said perpetual fund granted by the said act of the seventh year of his late Majesty's reign, producing yearly one hundred and forty pounds, or thereabouts; and the said duty of one farthing per chaldier will raise little if any thing more than will pay the principal monies borrowed thereon, and the interest thereof now due, and which may incur during the remainder of the said term of thirty one years: to the end therefore that the said west and east piers may be rebuilt or repaired and raised where needful, and the remaining part of the stone rock at the entrance of the said harbour may be taken away, and the way from the west pier to the said town of Whitby may be repaired and made sufficient, and proper moorings for ships may be placed thereon, as shall be judged expedient, and the said harbour may be further improved; may it please your Majesty, that it may be enacted, &c.

An additional duty of one farthing a chaldier laid on coals for 31 years. Powers given by the recited act, to be exercised by the trustees with regard to the present duty. Trustees may borrow money on the credit of the duties; and contract for the work and materials; and for the purchase of houses and grounds, for making the way from the west pier to the town more convenient. Owners refusing to treat, justices to impanel a jury, who are to assess the recompence. Upon payment of the money, the lands, &c. to vest in the trustees. The west and east piers, &c. vested in the trustees. Person to be appointed, who is to direct the moorings, &c. of ships. Vessels belonging to Great Yarmouth exempted from the duties.

CAP. XL.

An act for repairing and widening the roads leading from Egremont to Dudden Bridge, Sauton Bridge, and Salthouse, in the county of Cumberland.

Certain tolls granted for 21 years.

*Anno Regni GEORGII II. Regis Magnæ
Britanniæ, Franciæ, & Hiberniæ, vice-
ſimo quarto.*

AT the parliament begun and bolden at Weſtminſter, the tenth day of November, Anno Dom. 1747, in the twenty firſt year of the reign of our ſovereign lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by ſeveral prorogations to the ſeventeenth day of January, 1750. being the fourth ſeſſion of this preſent parliament.

CAP. I.

An act for continuing and granting to his Maſteſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and fifty one. E X P.

CAP. II.

An act for granting to his Maſteſty the ſum of two millions one hundred thouſand pounds, to be raiſed by annuities and a lottery, and charged on the ſinking fund, redeemable by parliament.

Moſt gracious Sovereign,

WE your Maſteſty's moſt dutiful and loyal ſubjects, the commons of *Great Britain* in parliament aſſembled, being deſirous to raiſe the neceſſary ſupplies which we have chearfully granted to your Maſteſty in the eaſieſt manner we are able for the benefit of your ſubjects, have freely and voluntarily given and granted, and by this act do give and grant unto your Maſteſty the ſum of two millions one hundred thouſand pounds, to be raiſed in ſuch manner and form as is herein after directed; and to that end and purpoſe do moſt humbly beſeech your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That the annuities which by this act ſhall be granted and made payable in reſpect of the ſaid principal ſum of two millions one hundred thouſand pounds, until redemption thereof by parliament, in manner herein after mentioned, ſhall be charged and chargeable upon, and payable out of the monies which ſhall from time to time ariſe and be remaining in the receipt of his Maſteſty's exchequer of or for the ſurpluſſes, exceſſes or overplus monies, commonly called the *Sinking Fund*; and the ſaid ſurpluſſes, exceſſes or overplus monies are hereby appropriated for that purpoſe accordingly,

Annuities on the ſum of 2,100,000l. to be raiſed by this act, charged on the ſinking fund.

[1. And for or towards raising the ſaid ſum or ſums of money Natives or foreigners may exceeding in the whole the ſaid ſum of two millions one hundred thouſand pounds for the purpoſes aforeſaid, it is hereby pay to the further enacted by the authority aforeſaid, That it ſhall and chief caſhier of the ſouth-ſea company. be lawful to and for any perſon or perſons, natives or foreigners, bodies politick or corporate, to contribute, advance pay unto the firſt or chief caſhier or caſhiers of the government and company of merchants of *Great Britain* trading to the *Indies*, and other parts of *America*, and for encouraging the ſervice, commonly called the *South-Sea Company*, at or before the ſeveral days and times by this act limited in that behalf, any ſum or ſums of money not exceeding one million four hundred ^{1,400,000 L.} thouſand pounds, in part of the ſaid whole ſum of two millions for the purchaſe of annuities. five hundred thouſand pounds, for the abſolute purchaſe of any certain annuity or annuities, to commence from the ſeveral and reſpective times herein after appointed for the payment of the ſeveral and reſpective ſums by them ſubſcribed or contributed, and to be paid and payable to ſuch contributor or contributors, or ſuch as he, ſhe or they ſhall nominate, his, her or their executors, adminiſtrators, ſucceſſors and aſſigns reſpectively, in manner herein after mentioned, ſo as ſuch caſhier or caſhiers do firſt give ſecurity to the good liking of any three or more of the commiſſioners of the treaſury now being, or the high treaſurer, or commiſſioners of the treaſury for the time being, for duly receiving and paying into the receipt of his Majeſty's exchequer, for the publick uſe, the monies ſo to be advanced and contributed, and to account duly for the ſame; which annuities before mentioned ſhall be computed at the rate of three pounds *per annum* for every one hundred pounds, and proportionably for any greater or leſs ſum ſo to be advanced and paid; and the purchaſe-money for every ſuch annuity at the rate aforeſaid, is hereby appointed to be paid unto the ſaid caſhier or caſhiers as afore- ^{at the rate of 3 l. per cent.} ſaid, at or before the reſpective days and times herein after limited; that is to ſay, ten pounds *per centum* part thereof by ^{Times for} way of deposit, on or before the fifteenth day of *March*, in the year of our Lord one thouſand ſeven hundred and fifty, fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* one thouſand ſeven hundred and fifty-one then next enſuing; fifteen pounds *per centum*, other part thereof, on or before the ſeventeenth day of *June* then next enſuing; twenty-five pounds *per centum*, other part thereof, on or before the twelfth day of *Auguſt* then next enſuing; ten pounds *per centum*, other part thereof, on or before the twenty-eighth day of *October* then next enſuing; ten pounds *per centum*, other part thereof, on or before the twentieth day of *November* then next enſuing; and the remaining fifteen pounds *per centum*, on or before the twentieth day of *December* then next following; all which annuities ſo to be purchaſed ſhall be paid and payable at two of the moſt uſual feaſts or days of payment in the year; that is to ſay, the feaſt of the nativity of Saint *John the Baptiſt*, and of the birth of our Lord Chriſt, or within fix days after every of the ſaid

laid feaft days; the first payment thereof to be computed and paid at the rate of three pounds *per centum per annum*, on the whole sum to be paid by such contributors for the purchase of any part of the said annuities, from the said several and respective times of paying and advancing the same as aforesaid, unto the feaft of the birth of our Lord Christ, which shall be in the year of our Lord one thousand seven hundred and fifty one, or within six days after the said feaft day: nevertheless the said annuities shall be redeemable according to the purport and true meaning of a proviso or condition herein after contained in that behalf, and not otherwise; and the said cashier or cashiers of the said governor and company for the time being is or are hereby authorized and required upon the advancing and paying to him or them any such sum or sums of money as aforesaid, forthwith to give a receipt in writing signed by himself or themselves for each payment to the contributor or payer thereof (which receipts shall be assignable by indorsement thereupon, made at any time before the said twentieth day of *December* one thousand seven hundred and fifty one, and no longer) and, from time to time, to pay into the receipt of his Majesty's exchequer, all the monies which he or they shall receive of or for the said sum not exceeding one million four hundred thousand pounds, as fast as he or they shall receive the same, or any part thereof, or within five days afterwards at the farthest; and to account for all the monies so to be advanced and paid to him or them in his Majesty's court of exchequer, according to the due course thereof.

Cashier to give receipt for each payment,

which shall be assignable by indorsement,

Contributors names to be entered in a book,

and a copy transmitted to the exchequer.

Contributors paying the consideration-money,

III. And it is hereby enacted, That in the office of the accomptant general of the said governor and company for the time being, there shall be provided and kept a book or books, in which there shall be fairly entered the names of all who shall be contributors for such annuities, after the rate of three pounds *per centum per annum* as aforesaid, and of all persons by whose hands the said contributors shall pay in any of the said sums upon this act, and also the sum so paid; to which book or books it shall be lawful for the said respective contributors, their executors, administrators, successors and assigns, from time to time at all seasonable times to have resort, and to inspect the same without any fee or charge; and the said accomptant general for the time being, shall on or before the twenty fifth day of *March* one thousand seven hundred and fifty three, transmit an attested duplicate, fairly written on paper, of the said book or books into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

IV. And it is hereby enacted by the authority aforesaid, That all and every contributor and contributors upon this act, duly paying the whole consideration or purchase-money, at the rate aforesaid, at or before the respective days and times in this act before limited in that behalf, for such annuity or annuities as aforesaid, or such as he, she or they shall appoint, his, her or their respective executors, administrators, successors and assigns shall

shall have, receive and enjoy, and be intitled, by virtue of this act, to have, receive and enjoy the respective annuity and annuities so to be purchafed out of the monies by this act appropriated or appointed for payment thereof as aforesaid, and shall have good and sure estates and interests therein for ever, subject only to the proviso or condition of redemption in this act herein after contained concerning the same; and that the several and respective annuities payable in pursuance of this act, after the rate of three pounds *per centum per annum*, and all and every the principal sums for which the same are to be payable, shall be free from all taxes and impositions whatsoever.

V. Provided also, That in case any such contributor as aforesaid, who shall, on or before the said fifteenth day of *March* one thousand seven hundred and fifty, have advanced to the said cashier or cashiers ten pounds *per centum*, by way of deposit as aforesaid, in part of his, her or their purchase-money; and such contributor, his, her or their executors, administrators, successors or assigns, shall not advance and pay to the said cashier or cashiers fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* then next ensuing; and fifteen pounds *per centum*, other part thereof, on or before the seventeenth day of *June* then next ensuing; and twenty five pounds *per centum*, other part thereof, on or before the twelfth day of *August* then next ensuing; and ten pounds *per centum*, other part thereof, on or before the twenty eighth day of *October* then next ensuing; and ten pounds *per centum*, other part thereof, on or before the twentieth day of *November* then next ensuing; and the remaining fifteen pounds *per centum*, on or before the twentieth day of *December* then next following; then, and in every such case respectively, so much of the consideration-money as shall have been actually paid in part thereof only, to the said cashier or cashiers for such respective annuity, shall be forfeited for the benefit of the publick; any thing in this act contained to the contrary notwithstanding.

VI. Provided always, That in case any contributor or contributors for the purchase of any of the said annuities shall, after payment of ten pounds *per centum*, in part of his, her or their purchase-money, desire that the subsequent payments to be made by him, her or them, at the respective times limited in that behalf, may immediately be made stock in the book or books directed to be kept for that purpose in the office of the said accomptant general; and that the principal money, and the annuity attending the same, be immediately transferrable (except the ten pounds *per centum*, which is to remain as a deposit till payment of the whole sum by him, her or them subscribed for, is fully completed) it shall be lawful for the said accomptant general, and he is hereby required, upon such request made by any such contributor or contributors, to give credit in the said book or books for each respective principal sum by him, her or them subscribed and paid as aforesaid; any thing herein contained to the contrary notwithstanding.

VII. And

Purchasers to
pay 10l. per
cent. by 15
March 1750.

VII. And it is hereby enacted and declared, That no person or persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any of the annuities at the rate aforesaid upon this act, unless the whole, or ten pounds *per centum*, part at least of the consideration-money for the same, be advanced and paid to the said cashier or cashiers, on or before the said fifteenth day of *March* one thousand seven hundred and fifty.

700,000 l. to
be raised by a
lottery,

VIII. *And whereas it is intended that the sum of seven hundred thousand pounds, being the residue of the said sum of two millions one hundred thousand pounds, already charged by this act upon the monies to arise of or for the said surplusses, excesses and overplus monies, commonly called the Sinking Fund, appropriated for payment thereof, in manner before directed and appointed, shall be raised by way of a lottery, for the purchase of annuities, after the rate of three pounds per centum per annum, in manner herein after mentioned;* be it therefore enacted by the authority aforesaid, That the annuities becoming due and payable to the contributors to the lottery herein after-mentioned, their executors, administrators and assigns, at the said rate of three pounds *per centum per annum*, in respect of the said principal sum of seven hundred thousand pounds, in manner hereafter in this act expressed, until redemption thereof by parliament, according to the proviso herein after contained in that behalf, shall be charged upon the said *Sinking fund*, and shall commence and be computed from the respective times of paying or advancing the same, or any part thereof, as herein after mentioned, and be paid unto the feast day of the birth of our Lord Christ, one thousand seven hundred and fifty-one; and shall from thenceforth be paid half-yearly at the feasts of the nativity of Saint *John the Baptist*, and the birth of our Lord Christ, by even and equal portions; the first payment thereof to be due and payable for the half year ending at the feast of the nativity of Saint *John the Baptist* one thousand seven hundred and fifty two.

at 3 l. percent.

chargeable on
the sinking
fund.

Annuities
payable half-
yearly.

Any person
may contri-
bute 10l. or
more;

and thereby
be interested
in the an-
nuities.

IX. And be it further enacted by the authority aforesaid, That for or towards raising the said sum of seven hundred thousand pounds, it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute, by paying at or before the respective times by this act limited in that behalf, to any receiver or receivers to be appointed for that purpose, as is herein after-mentioned, the sum of ten pounds, or divers entire sums of ten pounds, upon this act; and that every such contributor or adventurer, for every such sum of ten pounds, which he, she or they shall so advance, shall be interested in such lot or share of and in the joint stock of annuities established by this act, as is herein after-mentioned and appointed in that behalf; and the same entire sums of ten pounds each are hereby appointed to be paid unto such receiver or receivers at such time or times, and in such proportions at a time as are herein after-mentioned in that behalf; that is to say, ten pounds *per centum*, part thereof, by way of deposit, on or before

before the fifteenth day of *March* in the year of our Lord one thousand seven hundred and fifty; fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the twelfth day of *July* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the seventh day of *September* then next ensuing; and the remaining twenty five pounds *per centum*, on or before the seventh day of *October* then next following.

Times of advancing the sums.

Commissioners of the treasury to appoint managers of the lottery, and receivers; and to take security. Receivers shall deliver tickets to the contributors. There shall be printed 70,000 tickets; and 10,000 tickets shall be the fortunate tickets, and shall be written upon in manner following, viz. upon two severally, 10,000 l. principal money; upon four 5000 l. upon five 3000 l. upon eight 2000 l. upon twenty 1000 l. upon forty one 500 l. upon two hundred 100 l. upon four hundred and twenty 50 l. upon nine thousand three hundred 20 l. Which sums, with 500 l. to the first drawn ticket, and 1000 l. to the last drawn, will amount to 340,000 l. which being added to 360,000 l. payable on the remaining 60,000 blank tickets, at 6 l. each blank, do amount to 700,000 l. being the total principal in respect of the lottery. Manner of drawing the lottery. Prizes to be entered in a book. When the lottery is drawn, a list of the prizes to be printed. Disputes to be determined by the managers. Counterfeiting of tickets or certificates, shall be adjudged felony. Tickets to be disposed of shall be delivered into the exchequer. Guardians may adventure infants money, so as such infants names be in the receipts and tickets. Limitation of sale of chances, &c. Persons selling shares in tickets of which they are not possessed, &c. to forfeit 500 l. After the drawing of the lottery, the tickets to be exchanged for certificates. EXP.

XXVII. And be it further enacted by the authority aforesaid, That the said accomptant general of the *South Sea* company for the time being, to whom the said certificates are to be directed as aforesaid, shall, upon receiving and taking in the said certificates, or any of them, give credit to the persons named therein, in the same book or books with the contributors for the purchase of the annuities not exceeding one million four hundred thousand pounds, herein before directed to be inserted in a book or books, or in any other book or books to be by him provided and kept for that purpose, for the principal sums contained in every such certificate; and the persons to whose credit such principal sums shall be entered in the said book or books, his, her or their executors and administrators, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, bodies politick or corporate whatsoever, in other books, to be prepared and kept by the said accomptant general for that purpose; and the principal sums so assigned or transferred, shall carry the said annuity of three pounds *per centum per annum*, and shall be taken and deemed to be stock transferrable by this act, according to the powers and authority herein after mentioned, until the redemption thereof as aforesaid; and the said accomptant general of the *South Sea* company for the time being, is hereby authorized and directed to cancel and file the certificates as they shall from time

general to give credit for the sums named in the certificates;

which may be transferred,

and carry 3 per cent. interest.

Certificates to be cancelled, to and notes

given in lieu thereof.

to time be received and taken in by him, and to give the persons bringing in the same a note under his hand, testifying the principal money for which they have credit in the said book or books, by reason or means of the certificates so received, taken in, and cancelled as aforesaid, and of the annuities attending the same.

Chief cashier and accomptant general to be appointed.

XXVIII. And for the more easy and sure payment of the several and respective annuities, amounting in the whole to two millions one hundred thousand pounds, by this act authorized to be purchased as aforesaid; it is hereby further enacted by the authority aforesaid, That the said governor and company, and their successors, shall, from time to time, until the said several and respective annuities, after the rate of three pounds *per centum per annum* shall be redeemed according to this act, appoint and employ one sufficient person, within their office in the city of London, to be their chief cashier or cashiers, and one other sufficient person within the same office, to be their accomptant general; and that so much of the monies arising from time to time into the receipt of the exchequer, of or for the said *Sinking fund*, by this act appropriated for this purpose as aforesaid, as shall be sufficient from time to time to answer the said several and respective annuities, and other payments directed to be paid or discharged out of the same, shall, by order of the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or commissioners of the treasury of his Majesty, his heirs or successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, from time to time, at the respective half-yearly feast days or days of payment, in this act before appointed for payment thereof, be issued and paid at the said receipt of exchequer, to the said chief cashier or cashiers of the said governor and company, and their successors for the time being, by way of imprest, and upon account for the payment of the said several and respective annuities to be purchased upon this act, at such times, and in such manner and form, as are by this act prescribed in that behalf; and that all and every such cashier or cashiers, to whom the said monies shall from time to time be issued, shall from time to time without delay, apply and pay the same accordingly, and render his account thereof according to the due course of the exchequer; any thing herein contained to the contrary notwithstanding.

Monies for payment of the annuities to be issued from the exchequer by way of imprest, &c.

Accomptant general to inspect the cashiers receipts.

Annuities to be a personal estate, &c.

XXIX. And it is hereby also enacted, That the said accomptant general for the time being, shall from time to time inspect and examine all receipts and payments of the said cashier or cashiers, and the vouchers relating thereunto, in order to prevent any fraud, negligence or delay; and that all and every person and persons whatsoever, who shall be entitled to any of the said several and respective annuities, after the rate of three pounds *per centum per annum*, and all persons lawfully claiming under them, shall be possessed thereof as of a personal estate, and the same shall not be descendible to the heir, and shall not

be liable to any foreign attachment by the cuſtom of *London*, or otherwiſe ; any law, ſtatute or cuſtom to the contrary notwithstanding.

XXX. And be it further enacted by the authority aforeſaid, That all the monies to be advanced or contributed, or to which any perſon or perſons ſhall become entitled upon this act, for or towards the ſaid ſum not exceeding two millions one hundred thouſand pounds, ſhall be deemed, reputed and taken to be one capital or joint ſtock, on which the ſaid ſeveral and reſpective annuities, after the rate of three pounds *per centum per annum*, ſhall be attending ; and that all and every perſon and perſons, and corporations whatſoever, in proportion to the money by him, her or them advanced, or to which they ſhall become entitled as aforeſaid upon this act, ſhall have and be deemed to have a proportional intereſt and ſhare in the ſaid ſtock, and in the annuity attending the ſame, at the rate aforeſaid ; and that the ſaid whole capital or joint ſtock, or any ſhare or intereſt therein, and the proportional annuity attending the ſame, ſhall be assignable and transferrable as this act directs, and not otherwiſe ; and that there ſhall conſtantly be kept at all ſeaſonable times, in the office of the ſaid accomptant general for the time being, within the city of *London*, a book or books, where- in all assignments or transfers of the ſaid whole capital or joint ſtock, or any part thereof, and the proportional annuity attending the ſame, at the rate aforeſaid, ſhall be entered and regiſtered ; which entries ſhall be conceived in proper words for that purpoſe, and ſhall be ſigned by the parties making ſuch assignments or transfers, or if ſuch parties be abſent, by his, her or their attorney or attorneys thereunto lawfully authorized, by writing under his, her or their hands and ſeals, to be attested by two or more credible witneſſes ; and that the perſon or perſons to whom ſuch transfer ſhall be made, do underwrite his, her or their acceptance thereof ; and that no other method of assigning or transferring the ſaid ſtock, and the annuities attending the ſame, or any part thereof, or any intereſt therein, ſhall be good or available in law ; and that no ſtamp duties whatſoever ſhall be charged on the ſaid transfers or any of them ; any other law or ſtatute to the contrary notwithstanding.

XXXI. Provided always, and it is hereby enacted by the authority aforeſaid, That the ſaid governor and company and their ſucceſſors, (notwithstanding the redemption of all or any their own funds, in purſuance of the acts for eſtabliſhing the ſame, or any of them,) ſhall continue a corporation, with all the powers, privileges and advantages thereunto belonging, for the purpoſes in this act expreſſed, till all the annuities to be purchased on this act ſhall be redeemed by parliament, according to the proviſo herein after contained in that behalf ; and that the ſaid governor and company, or any members thereof, ſhall not incur any diſability for or by reaſon of their doing any matter or thing in purſuance of this act.

XXXII. Provided always, and be it enacted by the authority

Commissioners of the treasury to pay the charges of executing this act, out of the duties,

and appoint salaries for the cashiers, &c.

No fee for payment of contribution-money.

Transfers to be made gratis.

Penalty.

Clause of redemption.

rity aforesaid, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized, out of the said surplusses, excesses, or overplus monies, commonly called *The sinking fund*, by this granted act and appropriated as aforesaid, to discharge all such incident charges as shall necessarily attend the execution of this act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such allowances (out of the contributions to the lottery aforesaid) as they shall think just and reasonable, for the service, pains and labour of the receiver or receivers of the contributions to the said lottery, for receiving and accounting for the same; as also for the service, pains and labour of the cashier or cashiers of the the said governor and company, for receiving and accounting for the contributions to the annuities granted by this act; and also such further allowances (out of the said *Sinking fund*, by this act appropriated as aforesaid) as they shall think just and reasonable, for receiving, paying and accounting for the several and respective annuities payable in respect thereof; and also for the service, pains and trouble of the accomptant general of the said governor and company, for performing the duty and trust incumbent on him by this act; all which allowances hereby empowered to be made as aforesaid, in respect to the service, pains and labour of any officer or officers of the said governor and company, shall be for the use and benefit of the said governor and company, and at their disposal only; any thing herein contained to the contrary notwithstanding.

XXXIII. And it is hereby enacted by the authority aforesaid, That no fee or gratuity shall be demanded or taken of any of his Majesty's subjects, for receiving or paying the said contribution-monies, or any of them, or for any tallies or receipts concerning the same, or for issuing the monies for paying the said several annuities, or any of them, or for paying the said annuities or any of them; and that no fee or gratuity shall be demanded or taken for any transfer, great or small, to be made in pursuance of this act; upon pain that the officer or person offending, by taking or demanding any such fee or gratuity contrary to this act, shall forfeit the sum of twenty pounds to the party grieved, to be recovered with full costs of suit, in any of his Majesty's courts of record at *Westminster*.

XXXIV. Provided also, and it is hereby enacted by the authority aforesaid, That any time upon one year's notice, to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by authority of parliament, at any of the half-yearly feast days for payment of the said respective annuities, or either of them, and upon repayment by parliament of the respective principal sums for which the said respective annuities or either of them shall be payable to such respective persons or corporations as shall be entitled to the same annuities, by payments not less than five hundred thousand pounds at a time; then, and

and not till then, the faid refpective annuities fhall ceafe and determine, and be underftood to be redeemed; and from and after fuch redemption, the monies arifing from the faid *Sinking fund*, fhall not be iffued or applied to any ufe or purpofe, but fhall be directed by future act or acts of parliament; any thing in this or any former act or acts of parliament to the contrary notwithstanding; and that any vote or refolution of the houfe of commons, fignified by the fpeaker in writing, to be inferted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforefaid, fhall be deemed and adjudged to be fufficient notice within the words and meaning of this act.

XXXV. And it is hereby enacted by the authority aforefaid, That if any perfon or perfons fhall at any time or times be fued or profecuted for any thing by him or them done or executed in purfuance of this act, or of any matter or thing in this act contained, fuch perfon or perfons fhall and may plead the general iffue, and give the fpecial matter in evidence for his or their defence; and if upon the trial a verdict fhall pafs for the defendant or defendants, or the plaintiff or plaintiffs fhall become nonfuit, then fuch defendant or defendants fhall have treble cofts to him or them awarded againft fuch plaintiff or plaintiffs.

General iffue.

Treble cofts.

CAP. III.

An act for enlarging the term and powers granted by an act paffed in the twelfth year of the reign of his prefent Majefty, for repairing the road between Stamford and Grantham in the county of Lincoln; and for making the fame more effectual. *The act 12 Geo. 2. c. 8. continued for 21 years.*

CAP. IV.

An act for enabling his Majefty to raife the feveral fums of money therein mentioned, by exchequer bills, to be charged on the Sinking fund; and for empowering the commissioners of the treasury to pay off the old and new unfubfcribed South Sea annuities out of the fupply granted to his Majefty for the fervice of the year one thoufand feven hundred and fifty one; and for enabling the bank of England to hold general courts, and courts of directors, in the manner therein directed; and for giving certain perfons liberty to fubfcribe bank and South Sea annuities omitted to be fubfcribed purfuant to two acts of the laft feflion of parliament.

Moft gracious Sovereign,

WHEREAS by an act of parliament made and paffed in the twenty third year of his Majefty's reign, intituled, An act for giving further time to the proprietors of annuities after the rate of four pounds per centum per annum to fubfcribe the fame in the manner and upon the terms therein mentioned; and for redeeming fuch of the faid annuities as fhall not be fo fub-

23 Geo. 2. c. 22.

scribed; and for empowering the *East India company* to raise certain sums by transferrable annuities, it is amongst other things enacted, That any person or persons, bodies politick or corporate, who are interested in, or intitled unto, any part of the national debt incurred before Michaelmas, one thousand seven hundred and forty nine, redeemable by parliament, which carried an interest after the rate of four pounds per centum per annum; and which was not subscribed in pursuance of a former act of the same session of parliament, and who should, on or before the thirtieth day of May one thousand seven hundred and fifty subscribe their names, and signify their consent, to accept of an interest of three pounds per centum per annum, to commence from the twenty fifth day of December, one thousand seven hundred and fifty five, subject to the same provisos, notices and clauses of redemption, which their respective four per cents were liable to, should, in lieu of their present interest, be intitled unto, and receive an interest of four pounds per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty; and from and after the said twenty fifth day of December, one thousand seven hundred and fifty, an interest of three pounds ten shillings per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty five; and that no part of the same should be liable to be redeemed until the said twenty fifth day of December, one thousand seven hundred and fifty five; and that such part of the national debt incurred before Michaelmas one thousand seven hundred and forty nine, redeemable by law, which carried an interest of four pounds per centum per annum, and which should not be subscribed before the said thirtieth day of May, one thousand seven hundred and fifty, should be redeemed and paid off; and that it should be lawful for the King's most excellent majesty, by warrant under his royal sign manual, to authorize and empower the commissioners of the treasury, or the high treasurer for the time being, to raise by loans or exchequer bills, or by way of subscription, or in such other manner as his Majesty in his great wisdom should think most for the advantage of the publick, from any person or persons, bodies politick or corporate, any sum or sums of money, not exceeding such part of the national debt, carrying an interest of four pounds per centum per annum, redeemable by law, as should not be subscribed in pursuance of the said recited act, or the said former act, to be charged on the Sinking fund, and to be applied to pay off and redeem such part of the national debt so unsubscribed as aforesaid, upon any terms not exceeding the rate of interest in the said recited act mentioned: and whereas, since the passing of the said act, a great part of the annuities, after the rate of four pounds per centum per annum, which remained unsubscribed upon the former act, have been since subscribed, so that the principal sums remaining unsubscribed on the said thirtieth day of May one thousand seven hundred and fifty, upon the annuities payable at the exchequer and bank of England, do amount in the whole to the sum of one million twenty six thousand four hundred seventy six pounds four shillings and six pence; which said sum of one million twenty six thousand four hundred seventy six pounds four shillings and six pence, is directed by the said recited act to be paid off.

off and redeemed, at the ſtated times, and in the proportions herein after-mentioned, according to the ſeveral notices given by the ſpeaker of the houſe of commons the laſt ſeſſion of parliament in that behalf; that is to ſay, the principal ſum of one hundred eighty two thouſand two hundred and fifty pounds, the amount of the unſubſcribed exchequer order payable thereof of the duties upon wrought plate, on the twenty fifth day of March one thouſand ſeven hundred and fifty one; and the principal ſum of one hundred ſeventy five thouſand five hundred ſeventy one pounds ſix ſhillings and one penny, the amount of the unſubſcribed annuities of the year one thouſand ſeven hundred and forty ſix; and alſo the principal ſum of ſeventy one thouſand ſeven hundred twenty three pounds nine ſhillings and ſix pence, the amount of the unſubſcribed lottery annuities one thouſand ſeven hundred and forty ſeven, both transferrable at the bank of England, on the twenty fourth day of June one thouſand ſeven hundred and fifty one; and the principal ſum of two hundred and eleven thouſand ſix hundred thirty four pounds fifteen ſhillings, the amount of the unſubſcribed annuities of the year one thouſand ſeven hundred and forty ſeven, transferrable as aforeſaid, on the twenty ninth day of September one thouſand ſeven hundred and fifty one; and the principal ſum of two hundred eighty one thouſand three hundred twenty one pounds one ſhilling and nine pence, the amount of the unſubſcribed annuities of the year one thouſand ſeven hundred and forty eight, transferrable as aforeſaid, on the twenty fifth day of March one thouſand ſeven hundred and fifty one; and alſo the principal ſum of one hundred and three thouſand nine hundred ſeventy five pounds twelve ſhillings and two pence, the amount of the unſubſcribed annuities of the year one thouſand ſeven hundred and forty nine, transferrable as aforeſaid, on the twenty ninth day of September one thouſand ſeven hundred and fifty one: and whereas the governor and company of the bank of England have propoſed to advance and pay into the receipt of his Maſteſty's exchequer the ſum of one million twenty ſix thouſand four hundred ſeventy ſix pounds four ſhillings and ſix pence, at the ſtated times and in the proportions before mentioned, upon condition that exchequer bills be iſſued to them on or before the times the ſaid ſeveral ſums are propoſed to be advanced; which bills are to be made forth at the ſaid receipt, and charged on the ſurpluſſes, exceſſes or overplus monies, commonly called the Sinking Fund, at an intereſt not exceeding the rate of three pounds per centum per annum, to be paid out of the ſaid Sinking fund, and to commence from the ſtated times on which the ſeveral ſums are propoſed to be advanced; and that the principal ſums contained in ſuch exchequer bills ſhall be repaid to them out of the firſt exceſſes or ſurpluſſes of the ſaid Sinking fund that ſhall be applied to the payment of the principal of the national debt: and whereas, ſince the making of the ſaid propoſal, the ſum of thirteen thouſand three hundred twenty eight pounds, in bank annuities, is by this act directed and allowed to be ſubſcribed by the proprietors thereof, ſo that the principal ſum to be advanced by the ſaid governor and company, to pay off the remaining unſubſcribed annuities before mentioned, will amount to the ſum of one million thirteen thouſand one hundred forty eight pounds four ſhillings and ſix pence only: now we, your Maſteſty's moſt

Treasury im-
powered to
agree with the
bank,

for raising
1,013,148 l.
4 s. 6 d. by
exchequer
bills,

dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being of opinion that it will be of advantage to the publick to accept of the said proposall, and being also desirous to lessen the interest of the national debt, as far as may be consistent with justice and publick faith, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with the said governor and company of the bank *England* to advance and pay into the said receipt of exchequer, any sum or sums of money not exceeding in the whole the said reduced sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence, for exchequer bills to be made forth at the said receipt, in manner hereafter mentioned, in such proportions and at such stated times as are herein before directed, towards paying off and redeeming the said several unsubscribed annuities, amounting to the said sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence, according to the several notices given by the speaker of the house of commons in that behalf as aforesaid.

at 3 l. per cent.

II. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall have, receive and enjoy, and shall be intituled by virtue of this act, to have, receive and enjoy an interest or premium, after the rate of three pounds *per centum per annum*, for the said principal sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence, to be advanced by them into the said receipt of exchequer, in the manner following; that is say, on the sum of four hundred fifty two thousand two hundred forty three pounds one shilling and nine pence, from the twenty fifth day of *March* one thousand seven hundred and fifty one; on the sum of two hundred forty six thousand two hundred ninety four pounds fifteen shillings and seven pence, from the twenty fourth day of *June* one thousand seven hundred and fifty one; and on the sum of three hundred fourteen thousand six hundred ten pounds seven shillings and two pence, from the twenty ninth day of *September* one thousand seven hundred and fifty one; which said interest or premium shall from time to time be paid to the said governor and company, and their successors, by quarterly payments out of the monies arising at the said receipt of exchequer, of or for the said surplusses, excesses or overplus monies, commonly called the *Sinking fund*, until such times as the said exchequer bills so to be issued, or any part thereof shall be discharged and cancelled, in the manner and form by this act hereafter provided.

payable quarterly out of
the sinking
fund;

III. And

III. And be it further enacted by the authority aforeſaid, and to prepare^e That the ſaid commiſſioners of the treaſury, or any three or new exche-
more of them now being, or the high treaſurer, or any three quer bills,
or more of the commiſſioners of the treaſury for the time being, are hereby authorized and impowered to prepare and make, or cauſe to be prepared and made, at the exchequer at once, or at the ſtated times, and in the proportions herein before directed, in ſuch method and form as they or he ſhall think moſt ſafe and convenient, any number of new exchequer bills, containing one common ſum or different ſums in the principal monies, ſo as ſuch bills do not exceed in the whole, the ſaid principal ſum of one million thirteen thouſand one hundred forty eight pounds four ſhillings and ſix pence.

IV. And be it further enacted by the authority aforeſaid, to bear inte-
That the ſaid bills to be made and prepared in purſuance of reſt at 3 l. per
this act, ſhall and may bear an intereſt not exceeding the ſaid cent.
rate or premium of three pounds *per centum per annum*, and proportionably for any greater or leſs ſum to be contained therein, and to be payable to the bearers thereof reſpectively; nevertheless the ſaid intereſt ſhall be abated and ſaved upon ſuch of the ſaid bills to be made forth by this act, as ſhall at any time or times be in the receipt of the exchequer, or in the hands or power of any receivers or collectors of any taxes, aids or revenues whatſoever, payable to his Maſteſty, his heirs or ſucceſſors, during ſuch time and times reſpectively as ſuch bills ſhall be or remain in the ſaid receipt, or in ſuch hands or power as aforeſaid.

V. And it is hereby enacted, That all the ſaid bills ſhall be and to be
numbered arithmetically, beginning with N^o I. and ſo proceed-numbered,
ing in an arithmetical progreſſion aſcending, wherein the common exceſs or difference ſhall always be one, and ſhall be regiſtered accordingly, ſo that the principal ſum to be contained in every ſuch bill, may regularly be paid off and diſcharged in courſe, according to the number of every ſuch bill, as it ſhall ſtand in the ſaid regiſter, and that the intereſt upon all and every the ſame bills ſhall be payable every three months, according to the purport and true meaning of this act; and that upon every ſuch bill there ſhall be indorſed, printed or written in words at length, or in figures, the ſum, after which the principal to be contained therein ſhall be payable in ſuch courſe as aforeſaid, according to the purport and true meaning of this act.

VI. And it is hereby further enacted, That all the ſaid bills and made with
ſhall be prepared and made with ſuch cheques, indents or coun-cheques, &c.
terfoils as ſhall be directed by the commiſſioners of the treaſury; or any three or more of them now being, or by the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being; and that the perſon or perſons who ſhall be appointed to pay off the ſaid bills in courſe, ſhall from time to time have the uſe and cuſtody of one part of all the cheques, indents or counterfoils of the ſaid exchequer bills, to be prepared and made by virtue of this act, from which the ſame

same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged bills; and that the undertakers or contractors for exchanging and circulating the said bills or such of them as shall be current, shall from time to time have the use and custody of one other part of all the said cheques, indents or counterfoils of the said exchequer bills, from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged bills; and that all the said parts of the said cheques, indents or counterfoils shall be delivered back into the exchequer, when the said bills to be made forth by virtue of this act, shall be paid off, cancelled and discharged.

and to be placed as cash in the exchequer,

VII. And it is hereby enacted, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall, and they are hereby respectively authorized and empowered, to cause such bills as shall be prepared by virtue of this act, to be placed as so much cash in the respective offices of the tellers of the said receipt of the exchequer, each and every of which tellers shall be severally charged with the proportion of the said bills, which shall be so placed in his office respectively; any law or usage to the contrary notwithstanding.

to be current, and subject to such rules, &c. as in the malt act.

VIII. And be it further enacted by the authority aforesaid, That all the said bills to be issued as aforesaid, shall be current in like manner, and with such privileges and advantages, and subject to such rules and directions as are prescribed and enacted by an act of this present session of parliament, (intituled, *An act for continuing and granting to his Majesty, certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and fifty one,*) for or concerning the exchequer bills thereby authorized to be made forth; and that all and every the clauses and provisos in the said last mentioned act, relating to the currency, exchanging or receiving the same last-mentioned exchequer bills, by any publick receivers of aids, taxes or supplies, or in his Majesty's receipt of the exchequer, or for forging, counterfeiting or altering the same bills, or making out new bills in the room of such as shall be filled up with indorsements, lost, burnt, defaced or otherwise destroyed, or for making out exchequer bills of five thousand pounds each, or for making out exchequer bills, without bearing interest, or for making them afterwards to bear an interest, or a higher or lower rate of interest, from time to time, as the contractors shall agree to, or for preventing any misapplication of the fund on which the same are charged, or any other misbehaviour of any officers concerned in the receiving, issuing, exchanging, paying off or cancelling the same last mentioned exchequer bills, or for obliging the contractors to pay the interest of, or exchange for ready money on demand, the exchequer bills thereby authorized to be issued, at a rate or premium not exceeding three pounds *per centum per annum*, or for preventing any

any difabilities in any fuch contractors, or for making them not liable to be bankrupts on account of fuch contracts, or for appointing a paymafter or paymafters, for paying off and cancelling the fame exchequer bills in due courfe and order, (not otherwife altered by this act) fhall extend, and be conftrued to extend, as well to the exchequer bills by this act authorized to be made forth, as to the exchequer bills to be made forth in purfuanee of the faid act, for continuing and granting the duties upon malt, mum, cyder and perry (except fuch claufes as do charge the fame on the rates or duties continued and granted by the fame act) as amply, fully and effectually, to all intents and purpofes, as if the fame claufes or provifoes had been particularly repeated and re-enacted *verbatim* in this act.

IX. And be it further enacted by the authority aforefaid, That the faid commiffioners of the treafury, or any three or more of them now being, or the faid high treafurer, or any three or more of the commiffioners of the treafury for the time being, fhall or may ifTue, or caufe to be ifTued, to fuch paymafter or paymafters to be conftituted as aforefaid, by way of impreft and upon account, fo much monies out of the growing produce of the faid furplufles, exceffes or overplus monies, called the *Sinking Fund*, as fhall from time to time incur and grow due to the faid contractors, for the intereft or premium upon the faid exchequer bills to be made forth by this act, during the continuance thereof, and fuch other payments as are by this act directed or allowed to be paid or difcharged out of the fame; any thing in this or any former act or acts of parliament to the contrary notwithstanding.

X. Provided always, and it is hereby enacted by the authority aforefaid, That the faid commiffioners of the treafury, or any three or more of them now being, or the faid high treafurer, or any three or more of the commiffioners of the treafury for the time being, fhall have power, and they are hereby enabled, to pay and allow, or caufe to be paid and allowed, out of the growing produce of the faid *Sinking Fund*, from time to time, the neceffary charges of making forth the new exchequer bills hereby authorized to be made forth, and fuch other charges as fhall be neceffarily incident in or for the execution of this act, in relation to the faid bills; any thing herein contained to the contrary notwithstanding.

XI. Provided alfo, and it is hereby further enacted by the authority aforefaid, That it is the true intent and meaning of this act, that the exchequer bills hereby authorized to be made forth, not exceeding the fum of one million thirteen thoufand one hundred forty-eight pounds four fhillings and fix pence, as aforefaid, fhall be, and they are hereby charged upon the faid furplufles, exceffes or overplus monies, commonly called the *Sinking Fund*; and that the fame exchequer bills fhall from time to time be paid off to the faid governor and company out of the firft monies that fhall from time to time arife into the faid receipt of the exchequer, of or for the faid *Sinking Fund*, and which fhall be applied to the payment of the principal of the national

Treafury to ifTue the monies due for intereft, by way of impreft to the paymafter.

Charges of making forth the bills, &c. to be paid out of the finking fund.

The bills charged upon the finking fund.

national debt, and not otherwise: and the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall and may, and they are hereby authorized and enabled, to cause such monies which shall from time to time arise at the said receipt of the exchequer, of or for the said *Sinking Fund* (except such monies of the said *Sinking Fund* as are or shall be appropriated to any particular use or uses by any act or acts of parliament in that behalf) to be issued from time to time to such paymaster to be constituted as aforesaid, by way of imprest and upon account, to be by him applied towards the paying off and discharging the exchequer bills hereby authorized to be made forth as aforesaid, or any part thereof, in such course as aforesaid, at such times, and in such proportions, as the said commissioners of the treasury, or any three or more of them, or the said high treasurer for the time being, shall judge to be most for the advantage of the publick; from which respective time or times of paying off and discharging the said exchequer bills, or any part thereof, by such paymaster as aforesaid, a proportional part of the interest or premium payable for such exchequer bills so paid off or discharged, at the rate aforesaid, shall cease and determine; any thing in this or any other act or acts of parliament to the contrary in any wise notwithstanding.

XII. *And whereas your Majesty's said dutiful commons did resolve, towards raising the supply granted to your Majesty, to enable your Majesty to borrow a further sum not exceeding two hundred twenty-five thousand twenty-three pounds seven shillings and eleven pence, at an interest of three pounds per centum per annum, to be charged on the said Sinking Fund: and whereas, since the making of the said resolution, the sum of forty-eight thousand one hundred twenty-nine pounds sixteen shillings and four pence, in old and new South-Sea annuities, is by this act directed and allowed to be subscribed by the proprietors thereof, so that the principal sum now necessary to be advanced by the said governor and company of the bank of England, will be reduced to the sum of one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence only; be it therefore further enacted by the authority aforesaid, That it*

Treasury to
contract for a
further sum of
176,893l. 11s.
7d. by exche-
quer bills,

shall and may also be lawful to and for the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with any person or persons, bodies politick or corporate, to advance and pay into the said receipt of exchequer, any further sum or sums of money, not exceeding in the whole the said sum of one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, for exchequer bills to be made forth at the said receipt, and issued to them at such time or times as the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners

of the treasury for the time being, ſhall think moſt convenient for the advantage of the publick; which ſaid exchequer bills ſhall be and are hereby alſo charged on the ſaid ſurpluſſes, ex-^{chargeable on} ceſſes, or overplus monies, commonly called the *Sinking Fund*,^{the ſinking fund,} at an intereſt not exceeding three pounds *per centum per annum*, to be paid out of the ſaid *Sinking Fund*, and commence from the time or reſpective times on which the ſaid ſum not exceeding one hundred ſeventy-fix thouſand eight hundred ninety-three pounds eleven ſhillings and ſeven pence, is or ſhall be advanced into the ſaid receipt; and that the principal ſum contained in ſuch exchequer bills ſhall be repaid out of the ſaid exceſſes or ſurpluſſes of the ſaid *Sinking Fund* that ſhall be applied to the payment of the principal of the national debt, in manner herein after-mentioned and directed.

XIII. And be it further enacted by the authority aforeſaid, to carry inte-
That all and every ſuch perſon or perſons, bodies politick or reſt at the rate
corporate, ſhall have and receive, and ſhall be intitled, by vir-^{of 3l. per cen-}
tue of this act, to have and receive, an intereſt or premium, af-^{tum,}
ter the rate of three pounds *per centum per annum*, for the ſaid
principal ſum not exceeding one hundred ſeventy-fix thouſand
eight hundred ninety-three pounds eleven ſhillings and ſeven
pence, ſo to be advanced by them into the ſaid receipt of exche-
quer, to commence from the reſpective time or times of advan-
cing the ſame as aforeſaid; which ſaid intereſt or premium ſhall payable quar-
from time to time be paid to them by quarterly payments, out-^{terly,}
of the monies ariſing at the ſaid receipt, of or for the ſaid ſur-
pluſſes, exceſſes or overplus monies of the ſaid *Sinking Fund* as
aforeſaid, until ſuch times as the ſaid exchequer bills ſo to be
iſſued, or any part thereof, ſhall be diſcharged and cancelled in
the manner and form by this act hereafter provided.

XIV. And be it further enacted by the authority aforeſaid, Bills to be
That it ſhall and may be lawful to and for the ſaid commiſſion-^{made for the}
ers of the treasury, or any three or more of them now being,^{ſum,}
or the ſaid high treaſurer, or any three or more of the commiſ-
ſioners of the treasury for the time being, to cauſe exchequer
bills to be made forth at the ſaid receipt, for any ſum or ſums
money, not exceeding the ſaid ſum of one hundred ſeventy-fix
thouſand eight hundred ninety-three pounds eleven ſhillings
and ſeven pence, in the ſame or like manner, form and order,
and according to the ſame or like rules and directions, as are
herein before enacted and preſcribed concerning the exchequer
bills herein before directed to be made forth; and that all and
every the clauſes, proviſoes, powers, privileges, advantages, pe-
nalties, forfeitures and diſabilities herein before contained or re-
ferred unto, relating to the ſaid exchequer bills (except as before
excepted) ſhall be applied and extended to the exchequer bills
to be made forth for the ſaid ſum, not exceeding one hundred
ſeventy-fix thouſand eight hundred ninety-three pounds eleven
ſhillings and ſeven pence, as fully and effectually, to all intents
and purpoſes, as if the ſaid ſeveral clauſes or proviſoes had been
herein again particularly repeated and re-enacted.

XV. And

and to be
numbered,

XV. And be it further enacted by the authority aforesaid, That all and every the said exchequer bills last-mentioned, shall be numbered arithmetically, beginning from the number which shall be expressed upon the last of the bills herein before directed to be made forth, and shall be registered accordingly, and paid in course, according to the directions herein contained in that behalf.

to be paid out
of the sinking
fund,

XVI. Provided also, and it is hereby declared, That it is the true intent and meaning of this act, that the said exchequer bills hereby directed to be made forth for the said sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, shall (from and after the paying off and discharging all and every the exchequer bills by this act before directed to be made forth for the principal sum of one million thirteen thousand one hundred forty-eight pounds four shillings and six pence, and all the interest and premium due thereupon) be repaid out of the first monies that shall from time to time arise into the said receipt, of or for the said *Sinking Fund*, that shall be applied to the payment of the principal of the national debt, and not otherwise; and the said commissioners of the treasury, or any three or more of them, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall and may, and they are hereby authorized and impowered to cause such monies of the said *Sinking Fund* (except such monies of the said *Sinking Fund* as are or shall be appropriated to any particular use or uses by any act or acts of parliament in that behalf) to be issued from time to time, to such paymaster as shall be appointed in pursuance of this act, by way of imprest and upon account, to be by him applied towards the paying off and discharging the said exchequer bills to be made forth for the said principal sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, or any part thereof, in such course and order as aforesaid, and at such times, and in such proportions, as the said commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, shall think fit; from which respective time or times of paying off the said exchequer bills, or any part thereof, by such paymaster as aforesaid, a proportional part of the interest or premium payable thereupon, at the time of paying off the same shall cease and determine; any thing herein contained to the contrary notwithstanding.

XVII. And for obviating all doubts and difficulties which shall or may arise in relation to the paying off and discharging the respective stocks of old and new *South-Sea* annuities, as have not been subscribed in pursuance of two acts passed in the last session of parliament, for redeeming the several annuities, carrying an interest after the rate of four pounds *per centum per annum*, directed to be redeemed and paid off; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three

or

Treasury to
pay off the

or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, to issue and pay, or cause to be issued and paid, out of any monies arisen or to arise into the receipt of his Majesty's exchequer, of or for all or any the aids or supplies granted to his Majesty for the service of the year one thousand seven hundred and fifty-one, unto the governor and company of merchants of *Great Britain* trading to the *South-Seas*, and other parts of *America*, and for encouraging the fishery, commonly called the *South-Sea Company*, any sum or sums of money, not exceeding the sum of two millions two hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, being the total principal sum remaining due and payable upon the said unsubscribed old and new *South-Sea* annuities (after deducting the sum of forty-eight thousand one hundred twenty-nine pounds sixteen shillings and four pence, by this act authorized and directed to be subscribed into the said annuities) at such respective time or times, and in such proportions, by payments not less than five hundred thousand pounds at a time, as they shall think most proper and convenient, towards redeeming and paying off the said annuities; and as the said payments of principal money shall from time to time be made, a proportional part of the said annuities, and also of the annuities attending thereon, and of the allowances for charges of management, shall cease and determine.

old and new
unsubscribed
south-sea an-
nuities,

by payments
not less than
500,000l. at a
time.

XVIII. And be it further enacted by the authority aforesaid, That the said *South-Sea* company shall forthwith upon the receipt of the said sum of two millions two hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, or any part thereof, by such payments as aforesaid, or as soon after as conveniently may be, divide out and distribute the same as near as may be amongst all the several proprietors of the said old and new annuities respectively, towards sinking and discharging so much of their shares or interests in the said respective annuities, by even and equal dividends amongst them all, in proportion to their respective shares or interests therein.

South-sea
company to
distribute the
same among
the proprie-
tors.

XIX. And to the end, intent and purpose, That all trust estates and interests in the said capital stocks of old and new *South-Sea* annuities, may be preserved and improved for the benefit of the persons concerned therein, with the least expence and inconvenience to them; be it enacted by the authority aforesaid, That in all and every cases where, in pursuance of this act, any payments or dividends shall be made of the capital of any such annuity stock, as shall be vested in any person or persons in trust for other persons who have or claim distinct or different interests therein, or for any other ends or purposes, for which the capital sum or annuity ought to be preserved intire, such payments or dividends of the capital stock of annuities, shall not be paid or applied as dividends of profit, annuity, or interest, but shall remain in the hands of such trustees respectively,

Trustees may
lay out the
money in the
purchase of
other stock,

till

till otherwise difpofed of at intereft; and for that purpofe, it fhall and may be lawful to and for the trustee or trustees who fhall receive the fame, at his or their difcretion to lay out or difpofe of the fame, or any part thereof, in the purchafe of fo much other capital ftock of annuities of the fame kind, as hath been fubfcribed in purfuant of the faid two acts of the laft feflion of parliament, or either of them, as at the current market price of fuch annuity ftock, the monies received for fuch dividends, fhall, as near as conveniently may be, extend to purchafe; which new purchafed ftock of annuities fhall be transferred to fuch trustee or trustees, and a receipt or receipts fhall be given and figned by the perfon or perfons transferring the fame, for the monies paid for the fame; and in cafe fuch trustees refpectively, by writing indorfed on or annexed to fuch receipts, and figned or acknowledged before one of the mafters of the high court of chancery, fhall declare that the money in the faid receipts were the produce of the faid dividends of the faid capital ftock of annuities (which figning or acknowledgement fuch mafters in chancery are hereby required to accept or take, and each and every fuch mafter, before whom the fame fhall be done, fhall at the fame time certify the fame, by fubfcribing his name thereto, for doing whereof fuch mafter fhall be paid for each certificate one fhilling and no more) then and in every fuch cafe, the annuity ftock mentioned in fuch receipts to be transferred, fhall refpectively go and be deemed fubject and liable to the fame trusts, for the benefit of the fame perfons, and for the fame ufes, ends, intents and purpofes, as the reft of the trust annuity ftock remaining in fuch trustees refpectively will or ought to be fubject and liable to, and fuch trustees refpectively fhall from thenceforth be indemnified from any lofs, charges or damages, on account of their fo doing, at the expences of the faid trust eftates.

or in any other
purchafe.

XX. Provided always, That nothing in this act contained fhall extend or be conftrued to extend to refrain or prohibit any fuch trustees from laying out or difpofing of any of the faid trust monies in any other purchafes or any other fecurities, whether publick or private, if they fhall fo think fit, in the fame manner and with the fame freedom and fecurity to themfelves, as they might have done if this act had not been made.

XXI. *And whereas doubts have arifen with regard to the taking the oaths and affirmation, and fubfcribing the declaration appointed by the charter of the governor and company of the bank of England, to be taken and fubfcribed by all and every the members of every general court: and whereas the adminiftering the faid oaths and affirmation, and fubfcribing the declaration at every general court, will be a*

The bank may
proceed in any
general court
without admin-
iftering the
oaths, &c, ap-
pointed by
their charter.

great delay to the proceedings of the faid general court; be it therefore enacted by the authority aforefaid, That it fhall and may be lawful for the faid governor and company in any general court, to proceed to tranfact any bufinefs, without adminiftering the faid oaths and affirmation to, or fubfcribing the faid declaration by, all or any of the members of the faid court, unlefs required thereto, by any nine or more of the proprietors prefent, qualified

qualified to vote at the said general court according to the charter; any thing in their said charter, or any act or acts of parliament contained in any wise to the contrary notwithstanding.

XXII. And be it further enacted by the authority aforesaid, That when any court of directors of the said governor and company shall be met according to any summons or appointment, and shall have notice or be otherwise satisfied, that the governor and deputy governor of the said corporation, will not be present so as to hold the said court of directors, or in case the said governor and deputy governor shall be absent after the usual time of proceeding to business, that then and in such case it shall and may be lawful for the said court of directors, and they are hereby authorized and impowered, to chuse a chairman for that time (which chairman shall also in the like case preside at a general court, if any shall at that time be summoned to meet) and to proceed to business, and transact the affairs of the corporation, and that the transactions of the said general court and court of directors respectively shall be as valid and effectual to all intents and purposes, as if the said governor or deputy governor had been present; any thing in the charter of the said corporation, or any act or acts of parliament contained in any wise to the contrary notwithstanding.

Court of directors may chuse a chairman in the absence of the governor or deputy governor.

XXIII. And whereas several persons, not being timely apprized of the notice given for subscribing in their several annuities, being in his Majesty's colonies in America, and other parts beyond the seas, or from unavoidable accidents have been deprived subscribing the same; be it therefore enacted by the authority aforesaid, That the sums which were standing in the respective names of the following persons, on the twenty-eighth day of February one thousand seven hundred and forty-nine, shall be intitled to the benefit of the vote of the house of commons, passed the twenty-ninth day of November one thousand seven hundred and forty-nine, *videlicet*, Charles Apthorp of Boston in New England, to the sum of five thousand three hundred twenty-eight pounds in bank annuities, John Erving of the same place to the sum of six thousand pounds in bank annuities, Daniel Huger of South Carolina to the sum of eight thousand pounds in old South-Sea annuities, John Smith to the sum of eleven thousand pounds in old South-Sea annuities, and to the sum of two thousand one hundred pounds in new South-Sea annuities, instead of the like sums subscribed to the second resolution passed in the same year, Ralph Willet to the sum of three thousand pounds in old South-Sea annuities, Elias Moses Defortis to the sum of three thousand four hundred and fifty-one pounds joint stock in the new South-Sea annuities, Hugh Holmes to the sum of four thousand three hundred pounds old South-Sea annuities, John Saunderson to five hundred pounds old South-Sea annuities, John Armstrong to the sum of two hundred and twenty-five pounds old South-Sea annuities, John Jolly to the sum of one thousand pounds old South-Sea annuities, two thousand pounds new South-Sea annuities, one thousand pounds bank annuities, of the year one thousand seven hundred and forty-

Liberty given to certain persons to subscribe bank and south sea annuities omitted to be subscribed pursuant to two acts of the last session.

seven, and one thousand pounds lottery annuities of the year one thousand seven hundred and forty-seven, in as full and ample manner, as if they had severally and respectively accepted the said terms on or before the said twenty-eighth day of *February* one thousand seven hundred and forty-nine.

Sums standing in the joint names of Samuel Edwards and Hugh Briggs, intituled to the benefit of the vote of 21 March 1749.

XXIV. And be it further enacted by the authority aforesaid, That the sums that were standing in the joint names of *Samuel Edwards*, deceased, and *Hugh Briggs*, now Sir *Hugh Briggs*, baronet, on the twenty-eighth day of *February* one thousand seven hundred and forty-nine, shall be intituled to the benefit of the vote of the house of commons, passed the twenty-first day of *March* one thousand seven hundred and forty-nine, *videlicet*, twelve thousand two hundred and ten pounds two shillings and one penny, in new *South-Sea* annuities, and thirteen thousand four hundred and forty-three pounds fourteen shillings and three pence, in old *South-Sea* annuities, in as full and ample manner, as if they had severally accepted the said terms on or before the thirtieth day of *May* one thousand seven hundred and fifty.

CAP. V.

An act to indemnify persons who have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose. E X P. *Time given to 28 Nov. 1751.*

CAP. VI.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters. E X P.

CAP. VII.

An act for granting an aid to his Majesty by a land tax to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty-one. Exp. *At 3 s. in the pound.*

CAP. VIII.

An act for the better carrying on and regulating the navigation of the rivers Thames and Isis, from the city of London westward, to the town of Cricklade in the county of Wilts.

WHEREAS the rivers of Thames and Isis have, time out of mind, been navigable from the city of London to the village of Bercott in the county of Oxford; and from the city of Oxford westward, beyond Letchlade in the county of Gloucester: and whereas in and by an act of parliament, made and passed in the one and twentieth year of the reign of his late majesty King James the First, (intituled, An act for making the river of Thames navigable for barges, boats and lighters, from the village of Bercott in the county of Oxford, unto the university and city of Oxford) the said rivers were made navigable from the said village of Bercott to the said city of Oxford: and whereas divers abuses have heretofore been, and still are committed, by the owners of the several towing-paths, and other passages on the banks of the said rivers, and by the

*the owners of the locks, weirs, turnpikes, dams, flood-gates, and other engines in and upon or near adjoining to the ſaid rivers: and alſo by the ſeveral barge-maſters, and their ſervants, navigating thereon; by reaſon whereof and other exactions, the price of water-carriage, on thoſe rivers, hath of late years been very much raiſed, contrary to the intent and proviſion of divers wholeſome and good laws, made and paſſed for the due regulation of the ſaid navigation; be it therefore enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That for preventing all abuſes and exactions, which may or can leſſen the navigation of the ſaid rivers, and render the ſame leſs uſeful to the publick, all and every perſon or perſons who are or ſhall be aſſeſſed and charged, and do and ſhall pay towards the aid granted unto his Majeſty by an act of this preſent ſeſſion of parliament, (intituled, *An act for granting an aid to his Majeſty by a land tax, to be raiſed in Great Britain, for the ſervice of the year one thouſand ſeven hundred and fifty-one*) or towards any future aid, by any future act or acts of parliament, for granting an aid to his Majeſty, his heirs and ſucceſſors, by a land tax in *Great Britain*, for and in reſpect of an eſtate in lands, tenements or hereditaments in his or their poſſeſſion, or of ſome perſon in truſt for him or them, of the yearly value of one hundred pounds in any or either, or all of the ſeveral counties of *Middleſex, Surry, Berks, Bucks, Oxon, Glouceſter and Wilts*; and alſo the vice-chancellor, and the heads of colleges and halls in the univerſity of *Oxford*; and the mayor or chief officer for the time being of the corporation and borough towns, lying upon the ſaid rivers, ſhall be and are hereby conſtituted commiſſioners for putting in execution all and ſingular the powers in this act contained; and that all and every perſon and perſons conſtituted and appointed a commiſſioner or commiſſioners by virtue or in purſuance of this act, before he and they reſpectively take upon himſelf or themſelves to act as a commiſſioner or commiſſioners under this act (other than the adminiſtering the oath following to one another, which they, or any two of them, are hereby impowered and required to do) do and ſhall take and ſubſcribe the following oath:*

I A. B. do ſwear, That I will without favour or affection, truly, faithfully and impartially execute, perform and diſcharge the office and duty of a commiſſioner, according to the powers, authorities, and directions given and eſtabliſhed by an act of parliament, (intituled, *An act for the better carrying on and regulating the navigation of the rivers Thames and Iſis, from the city of London weſtward, to the town of Cricklade in the county of Wilts*) according to the beſt of my ſkill and knowledge.

Oath to be taken by the commiſſioners,

So help me God.

Which oath ſo taken and ſubſcribed as aforeſaid, ſhall be kept and to be regiſtered by the clerk of the peace, among the records of the ſeſſions of the

the peace, in and for the respective counties where the same shall be so taken and subscribed.

Times and places for the meeting of the commissioners.

II. And be it further enacted by the authority aforesaid, That the said commissioners, or any seven of them, for the further, better and more orderly putting in execution the powers hereby to them given and appointed, shall, for the first time, meet on the first day of *July* next ensuing, at the town-hall in *Reading* in the county of *Berks*; and from thence by adjournment, meet at the town hall in the city of *Oxford* on the fifth of *August* following; and for the like purposes, shall for the time to come, hold a general meeting upon the first *Tuesday* in *July* in every year, at the town hall in the said city of *Oxford*, and another on the first *Tuesday* in *September* following, in every year, at the town hall in *Reading* aforesaid, for such time or number of days as shall to the said commissioners seem convenient, and at any of the said meetings shall adjourn themselves from time to time to such place; and so from place to place, within the counties of *Middlesex*, *Surry*, *Berks*, *Buckingham*, *Oxford*, *Gloucester* and *Wills*, and near to the same rivers, or some part thereof, as they shall think proper; and the said commissioners, or any five or

Power of appointing general meetings.

more of them, are hereby impowered and authorized afterwards, at any time or times, when it shall happen that no general meeting is appointed to be held by adjournment, to appoint general meetings of the said commissioners, for putting in execution all or any of the powers hereby in them vested, at such times and places as they shall think proper, within any or either of the said counties, by or through which the said rivers run, upon or near the same, upon giving twenty days notice in the *London Gazette*, and some other publick news papers, as to the commissioners shall seem meet, of the time and place which shall be from time to time appointed for such general meetings; (at which the commissioners then present shall be at liberty, and are hereby impowered to adjourn themselves to such times and places, within any or either of the aforesaid counties, near the said rivers, as they shall think proper;) and the said commissioners, or any seven of them, or the major part of them assembled at such general meeting, shall at any or either of such general meetings, held at any of the respective times and places aforesaid, or in pursuance of such notice aforesaid only, for such number of days, as to them shall seem convenient, upon due examination of any person or persons, touching any matters or things which concern the better carrying on and regulating the navigation of the said rivers, or touching any matters in controversy between party and party relating thereto, upon oath, (which oath they are hereby impowered at such general meetings to administer, and shall be in these words:)

so days notice of such meetings to be given in the London Gazette, &c.

Commissioners impowered to examine on oath,

I A. B. do swear, That such information or evidence as I shall give, shall be the truth, the whole truth, and nothing but the truth.
So help me God.

And

and make orders and constitutions for the settling and ascertain- and to settle
 ing reasonable rates and prices to be taken from the owners of all the prices pay-
 barges, boats and vessels, for the use and exercise of all the tow- able by barges
 ing-paths, gates and bridges, either by men or horses, as they for the use of
 are now used, or shall be used, at the discretion of the said com- &c.
 missioners, by the tenants or occupiers of all locks, weirs, bucks,
 winches, turnpikes, dams, flood-gates and other engines, and
 towing-paths, in, upon or near adjoining to the said rivers of
Thames and *Isis*, or which do or may affect the navigation of the
 same, or shall be deemed by the said commissioners, or any se-
 ven of them, or the major part of them, assembled at such
 meeting or meetings as aforesaid, to be necessary or useful there-
 to, between the said city of *London* and the said town of *Crick-*
le, for the help and assistance which barges, boats or vessels
 may or shall receive thereby, or by means thereof, in their pas-
 sage upon the said rivers, regard being had as well to the burden
 or tonnage of such boats, barges and vessels that have, do and
 shall navigate on the said rivers, as to the charges and expences
 which have been, and shall be, laid out in building, repairing,
 enlarging, improving and supporting the said locks, weirs, bucks, and to make
 winches, turnpikes, flood-gates and other engines; and also to orders for the
 take orders and regulations touching the sizes and draughts of sizes and
 all boats, barges and other vessels navigating the said rivers; draughts of
 and to settle proper gauges on the sides thereof, and how deep barges, and
 they shall load at all times, and in different seasons of the year, gauges on the
 as no boat, barge or other vessel whatsoever, navigating the sides, &c.
 said rivers, shall draw more than four feet on the sides, or draw
 more than four feet of water at any season of the year; and also
 to constitute and appoint all such other necessary rates, orders,
 constitutions, rules and regulations concerning the said naviga- and other re-
 tion, and also concerning such locks, weirs, bucks, winches, gulations con-
 turnpikes, dams, flood-gates and other engines and towing-paths, cerning the
 lying between the places aforesaid, and the shutting, penning, navigation,
 penning, drawing, use or management thereof, for the benefit
 and safety of the said navigation; and making satisfaction for the
 loss or damage which any owners or occupiers of mills or lands
 shall or may sustain thereby; and concerning all barges, boats
 or vessels passing by, through or with the help of the same; and
 the behaviour of all bargemen, boatmen and watermen belonging to and behaviour
 or working in such barges, boats or vessels, so as to remedy the of bargemen,
 abuses which have been frequently heretofore committed, or may
 hereafter be committed by them in the navigation; and to give and satisfacti-
 such reparation, satisfaction and damages to the person or per- on of persons
 sons aggrieved thereby; as likewise to the owners or occupiers grieved.
 of meadows, or other grounds, who shall be damaged by the
 neglect or refusal of the owners of such locks, weirs, bucks,
 winches, turnpikes and flood-gates, in not opening and keep-
 ing open the same, till the water is sunk beneath the water-
 mark, as to the said commissioners, or any seven or more of
 them, or the major part of them present at any such meeting,
 shall seem meet

No alterations
to be made in
the towing-
paths or land-
ing places,
without con-
sent of pro-
prietors.

III. Provided always, and be it enacted by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to empower the said commissioners to alter, change or remove any of the towing-paths, or landing-places now used as such, or to make or appoint any new or other towing-paths or landing-places, on the banks of the said rivers, without the mutual consent first had and obtained of both the owner or proprietor of the ground, over which the towing-path or landing-place proposed to be removed now is, and also of the owner or proprietor of the ground on which such towing-path or landing-place shall be intended to be removed to, or on which any such new towing-path or landing-place shall be intended to be made; any thing herein contained to the contrary notwithstanding.

Orders made
at a general
meeting, not
to be altered
at any general
meeting not
appointed by
adjournment,
&c.

Orders may be
altered, upon
application, at
any stated
meetings.

20 days notice
to be given of
such applica-
tion.

Commis-
sioners may hold
sub-meetings,

IV. Provided always, That no order, rule or regulation made by the said commissioners, in pursuance of the powers by this act vested in them, at any general meeting held upon and at the respective days and places in every year directed by this act as aforesaid, or at any adjournment thereof, shall be altered or repealed at any general meeting held by the said commissioners in pursuance of the notice hereby directed to be given, when it shall happen that no general meeting has been appointed to be held by adjournment: and that it shall and may be lawful to and for the said commissioners by this act constituted, upon any application to them made in that behalf, at either of the said general meetings, held at and upon the days and places prefixed by this act, for the respective holding the same in every year, or at any adjournment thereof, to alter, annul or repeal any order, rule or regulation made by the said commissioners at any former meeting or adjournment whatsoever, held in pursuance of this act, or make any new order, rule or regulation, touching and concerning the same, as the occasion and circumstances of the case may then require, and as to them shall seem expedient; and so as no such alteration, repeal or new order, be made or deemed good and sufficient, unless the party or parties applying for such alteration, repeal or new order, shall give twenty days notice in writing of his intended application, to every person or persons whom the same immediately concerns, or leave such notice with the servant or agent of any such person or persons.

V. And be it further enacted by the authority aforesaid, That the said commissioners, or any three or more of them, shall and may have and hold a sub-meeting in every of the said counties, by or through which the said rivers run, once in every year, at such times, and in such towns or places respectively, at the *Michaelmas* quarter-sessions in every year, for every of the said counties respectively shall be held (and at such sub-meetings the said commissioners shall have power to adjourn themselves, from time to time as they shall think proper) for the enforcing the execution of all or any of the orders and constitutions, to be made at all or any of the general meetings of the said commissioners to

be

be held as aforeſaid; and at ſuch ſub-meetings the ſaid com-
miſſioners, or any three or more of them, or the major part of
them preſent, ſhall have power, and are hereby authorized, in
a ſummary way, upon examination of the parties, and all wit-
neſſes to be produced by them, upon oath, which ſhall be in
the ſame words as herein before directed for the examination of
any perſon or perſons as aforeſaid, (which oath they are hereby
impowered to adminiſter) to hear and determine all ſuch com-
plaints and informations, as ſhall be made or laid againſt all and
every perſon or perſons, accuſed of offending againſt, or not
complying with this act, or any of the rules, orders, regulations
or conſtitutions, to be made in purſuance or by virtue thereof;
and upon conviction of the offender or offenders, to levy ſuch
fines, penalties, forfeitures or damages as the ſaid commiſſio-
ners are by this act impowered to ſet, or are hereby made pay-
able or forfeited, for the offences whereof ſuch offenders ſhall
be reſpectively convicted, by diſtreſs and ſale of the offenders
goods and chattels, rendering the overplus to the offender or
offenders, by warrant or warrants, under the hands and ſeals of
the ſaid commiſſioners, or any three or more of them, to be di-
rected to the conſtables, tythingmen, or other peace officers of
the ſeveral liberties or places wherein, or near whereto, any goods
or chattels, by ſuch warrant directed to be diſtrained, ſhall be;
and all ſuch conſtables, and other officers, are hereby commanded
to obey and execute ſuch warrants accordingly: provided,
That every perſon againſt whom any complaint or information
ſhall be made or laid at any or either of the ſaid ſub-meetings,
ſhall have at leaſt fix days notice of ſuch complaint or informa-
tion, under the hands of two or more of the ſaid commiſſio-
ners.

and may hear
complaints in
a ſummary
way.

and levy fines
by diſtreſs and
ſale.

6 days notice
to be given to
the party com-
plained a-
gainſt.

VI. Provided alſo, That it ſhall and may be lawful for any
perſon, whoſe fine, penalty, forfeiture or damage adjudged a-
gainſt him, at any or either of the ſaid ſub-meetings, ſhall ex-
ceed the ſum of five pounds, and who ſhall think himſelf ag-
grieved thereby, to appeal to the next general quarter ſeſſions of
the peace, to be held after the expiration of ten days, from the
time that the party aggrieved ſhall have notice of the adjudica-
tion of ſuch ſub-meeting of the commiſſioners of the county,
wherein the matter of complaint ſhall originally ariſe, but not
afterwards, upon giving ſix days notice in writing, of ſuch ap-
peal to the party or parties appealed againſt, or leaving ſuch no-
tice at his or their laſt place of abode; and the court of ſuch
quarter-ſeſſions ſhall hear and determine ſuch appeal, and give
ſuch coſts to either party, as they ſhall think reaſonable, whoſe
determination therein ſhall be final.

Perſons ag-
grieved may
appeal to the
quarter-ſeſſi-
ons.

6 days notice
to be given.

VII. And be it further enacted by the authority aforeſaid, That
the clerks of the peace for the ſaid ſeveral counties through
which the ſaid rivers run, ſhall be, and are hereby, appointed
clerks to the ſaid commiſſioners, and each of ſuch clerks of the
peace, or his deputy, ſhall, and are hereby required to attend,
and act as clerks to the ſaid commiſſioners, at ſuch of their

Clerks of the
peace appoint-
ed clerks to
the commiſſi-
oners;

meetings only, as shall be held in the county whereof he is clerk of the peace: and such clerks of the peace shall respectively be paid out of the several counties stock, of which county they are clerks of the peace, such sums for their attendance at such meetings respectively, as shall at such meetings, at which they shall so attend, be allowed them by any three or more of the said commissioners, by writing or certificate under their hands and seals, not exceeding the sum of twenty shillings a day; and the treasurers of the said counties respectively are hereby required to pay the same, the clerks of the peace producing such certificate as aforesaid.

VIII. *And whereas, for the more effectual putting of the powers herein contained in execution, it may be necessary to view the several locks, weirs, bucks, winches, turnpikes, dams, flood-gates, or other engines, and the several towing-paths upon or near the said rivers:* be it enacted by the authority aforesaid, That the said commissioners, or any three, or the major part of them, at such their general meetings or sub-meetings, may appoint any number of commissioners (but not a less number than three) as they should think fit, who are hereby authorized and impowered to go and view any locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines, in, upon or near adjoining to the said rivers; and likewise to view all towing-paths, gates, bridges and places proper for the fixing a water-mark at all locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines, and to inquire into the state, condition and circumstances thereof; and to inquire also by information upon oath (which shall be in the same words as the oath herein before directed for the examination of witnesses as aforesaid, which oath they are hereby impowered to administer) what rates or prices have formerly been paid to, or taken by, the owners or proprietors of such locks, weirs, bucks, winches, turnpikes, dams, flood-gates or other engines, in or upon, or near adjoining to the said rivers, or in any wise affecting the same, as likewise by the owners of towing-paths adjoining to the said rivers; and the several sums that are now paid to, or taken by such owners, proprietors or occupiers, from the several barge-masters navigating on the said rivers; which information or informations thus taken, shall be signed, by two of the said commissioners at least, and shall be by them transmitted to, and reported at, the next general meeting of the said commissioners, who, or any seven of them, or the major part of them, shall make such order and determination thereupon, as shall to them seem just; six days notice in writing of such informations and intended order being first given to the person or persons whom the same may concern, or left at his, her or their last place of abode.

IX. And be it further enacted by the authority aforesaid, That the said commissioners, or any seven or more of them, or the major part of them, shall have power and authority, and they are hereby enjoined and required, at their said general meetings, to assess and rate the prices of the carriage of all sorts of goods whatsoever, from the said city of London westward, to the said town of Cricklade, and back from thence to the said city of London, or to

or

or from thence reſpectively, to any other place or places upon the ſaid rivers, or to or from any place or places upon the ſaid rivers, to any other place or places upon the ſame, in ſuch boats, barges or other veſſels; and ſhall forthwith give publick notice in writing, to be ſigned by the ſaid commiſſioners at ſuch their meetings, or any ſeven or more of them, to be printed and publiſhed in the *London Gazette*; of which publick notice the ſeveral owners of boats, barges and other veſſels, navigating on the ſaid rivers, are hereby required to take notice, as alſo of the rates and prices ſo, from time to time, ſet and aſſeſſed, and of all other rates and prices, which ſhall at any time or times hereafter, at ſuch reſpective meetings as aforeſaid, be rated and aſſeſſed by virtue of this act: and if any owner or proprietor of any ſuch barge, boat or other veſſel, ſhall, at any time after the expiration of ten days next after the publiſhing of ſuch notice, take for the water-carriage of any goods or merchandizes, above the rates and prices ſo ſet as aforeſaid, every perſon or perſons ſo offending ſhall forfeit the ſum of five pounds, and ſhall loſe the freight of ſuch goods; and if any perſon or perſons whatſoever ſhall break or act contrary to any other rules, orders or conſtitutions, which ſhall be made in purſuance of this act, either for the benefit of the proprietors or owners of mills, locks, lands or meadows, near or adjoining to the ſaid rivers, or either of them, or otherwiſe howſoever; every ſuch perſon ſo offending, ſhall, for every ſuch offence, likewiſe forfeit the ſum of five pounds, unleſs in the caſe of offences on which other penalties and forfeitures are herein otherwiſe inflicted; all which reſpective penalties and forfeitures ſhall and may be recovered in a ſummary way, by information or complaint made to the ſaid commiſſioners at any or either of their ſub-meetings to be held as aforeſaid; and ſhall go and be applied, one moiety to the former or informers, and the other moiety to the party or parties aggrieved by any ſuch offence, and ſhall and may be levied by diſtreſs and ſale in manner herein before directed.

and to publiſh the ſame in the *Gazette*.

Penalty of taking more than the rate,

or of acting contrary to any rules, &c.

Application of theſe forfeitures.

X. Provided alſo, and be it further enacted by the authority aforeſaid, That no commiſſioner or commiſſioners ſhall ſit in judgement in the execution of this act, or any of the powers herein contained, where he or they, on his or their own parts, are any wiſe intereſted or concerned.

No commiſſioner to act where he is intereſted.

XI. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall think himſelf or themſelves aggrieved, by reaſon of any rules, orders, conſtitutions or aſſeſſments ſo as aforeſaid to be made by the ſaid commiſſioners, or any ſeven of them, or the major part of them, at their ſaid general meetings, it ſhall and may be lawful to and for the judge or judges of aſſize, at the aſſizes to be held for the county wherein the matter of complaint principally ariſeth, or the judge or judges of *Niſi prius*, or ſitting of *Niſi prius* at *Weſtmiſter*, when the cauſe of complaint ſhall ariſe in the county of *Middleſex*, upon complaint made by ſuch perſon or perſons aggrieved, within the ſpace of eight months next after the making of

Appeal from the commiſſioners to the judges of aſſize, &c.

of fuch rules, orders, constitutions or affeffments, to confirm, vacate or alter the fame, in fuch manner as fhall be thought moft convenient.

Orders of com-
miffioners to
be in force
till vacated,
except in cafes
affecting
others pro-
perty.

XII. Provided always, That the orders made by the faid commiffioners fhall remain in full force till vacated, or altered, by fuch judge or judges : but if fuch orders, rules or constitutions fhall affect the property or intereft of any perfon or perfons, in lands, tenements, or hereditaments, other than in locks, weirs, winches, turnpikes, dams, flood-gates, antient towing-paths and landing-places, then fuch orders, rules and constitutions fhall not be in force, until the expiration of one month next after the making thereof, and after notice given in writing to the perfon or perfons affected thereby, or left at his or their place of abode, in order that the perfon or perfons fo affected may have an opportunity of appealing againft fuch orders, rules and constitutions, before the fame are carried into execution ; and every fuch perfon or perfons who fhall make fuch appeal, fhall, within the fpace of one month, give notice in writing to the clerk of the commiffioners making the rules, orders or constitutions intended to be appealed againft ; and fhall alfo enter into a recognizance before fome juftice of the peace of the county wherein the matter doth lie, in the penalty of ten pounds at leaft, to profecute the faid appeal, according to the notice given thereof, as aforefaid ; in which cafe the rules, orders or constitutions fo appealed againft, fhall not be in force until fuch appeal be heard and determined, according to the directions of this act ; and in cafe the judge or judges, who fhall hear the faid appeal, fhall determine the fame againft the appellant, it fhall be lawful for fuch judge or judges to give fuch cofts to the party or parties againft whom the faid appeal is made, as to fuch judge or judges fhall feem meet.

Judges may
give cofts.

Orders to be
written on
parchment,
and printed ;

and kept
amongft the
records of the
felfions.

XIII. Provided alfo, and be it further enacted by the authority aforefaid, That all fuch rules, orders, constitutions and affeffments as fhall be made by the faid commiffioners, or any feven, or the major part of them, in purfuance of this act, fhall be written on parchment, and figned by the faid commiffioners, or any feven, or the major part of them, and fhall alfo be printed ; and the original orders, fo figned, fhall be kept amongft the records of the felfions of the peace of the county, within which the fame fhall be made ; and a true copy, figned by the clerk of the peace of the county where fuch original orders fhall be filed, fhall by him be tranfmitted to the feveral clerks of the peace of the counties of *Berks* and *Oxford*, when the faid orders are made in other counties than thofe of *Berks* and *Oxon* ; all which, or true copies thereof, figned by the clerk of the peace, who hath the cuftody thereof, fhall be taken, adjudged, and deemed good and fufficient evidence and proof in any court of law or equity whatfoever, and other places of judicature ; and the faid rules, orders, constitutions and affeffments, fo figned by the faid commiffioners, or confirmed or altered on fuch appeal as aforefaid, fhall continue in force from the making the fame by

thq

the ſaid commiſſioners, or the confirmation or alteration thereof, by the ſaid judge or judges of aſſize, or *Niſi Prius*, until ſome new order, rule, conſtitution or aſſeſſment, ſhall be made in the ſame caſe, by the ſaid commiſſioners, or any ſeven, or the major part of them; and every ſuch new order, rule, conſtitution or aſſeſſment, ſhall be ſubject to the like appeal as aforeſaid.

XIV. And, for the further preventing the damages and miſchiefs frequently done and committed by rude and diſorderly perſons, rowing, managing, haling or towing the ſaid barges, boats, and veſſels, either with men or horſes, and that the owners of ſuch barges, boats and veſſels may be more careful to prevent the ſame; be it enacted by the authority aforeſaid, That every barge-maſter, or the maſter of any boat or veſſel, and owner of any barge, boat and veſſel, ſhall be, and is hereby, made anſwerable and reſponſible for any damage or miſchief that ſhall be done or committed by his or their barge, boat or veſſel, or by the whole or any of the crew of his or their ſaid barge, boat or veſſel, or by perſons ordinarily belonging to, and going with, ſuch barge, boat, or veſſel, either to the goods and commodities with which ſuch barge, boat or veſſel is laden, or by fiſhing with nets, or otherwiſe, or by ſhooting with guns, or taking or deſtroying any fiſh, fowl or game, or to any of the locks, lock-tables, weirs, bucks, winches, turnpikes, dams, flood-gates or other engines; or to any bridge or lands, trees, meadows or grounds, in and upon the ſaid rivers, or bordering or near adjoining thereto, either with men or horſes: and the ſaid barge-maſters, barge-owners, and the maſters and owners of any boat or veſſel, ſhall be, and are hereby made liable to make good all ſuch damages to be committed as aforeſaid; and ſhall and may be ſued and proſecuted for the ſame, by action of treſpaſs or otherwiſe; and if it appear that ſuch treſpaſs or damage was done by any of the perſons ordinarily belonging to or employed in the barge or other craft, whereof ſuch perſon or perſons was or were maſter or maſters, owner or owners, ſuch maſter or maſters, owner or owners, ſhall be found guilty, and the plaintiff or plaintiffs ſhall recover his or their damages thereby ſuſtained, with his, her, or their full coſts of ſuit; any former law or uſage to the contrary notwithstanding.

Barge-maſter
reſponſible for
damages done
by his men.

XV. And whereas the bargemen, and other perſons navigating the barges, boats and other veſſels on the ſaid rivers, have frequently embezilled and adulterated wines, cyder, beer and other liquors; and have often ſtole and bartered coals, malt, wheat and other goods committed to their care; and have been guilty of many other abuſes, to the great damage of the proprietors of ſuch goods, and the diſcredit of the ſaid navigation; but it has been found very difficult to detect the offenders; be it therefore enacted by the authority aforeſaid,

That if any bargeman, boatman, or other perſon or perſons, being part of the crew of or belonging to any barge, boat or other veſſel, navigating the ſaid rivers, ſhall hereafter ſteal, ſell, take, barter, conſume, adulterate or embezil any wine, cyder, beer

Penalty on
bargemen
ſtealing, &c.
any goods on
board.

or

Forfeiture to go to the informer.

For want of distress of offender to be committed,

and the informer to be paid by the county treasurers.

On complaint that the water runs over the marks, commissioners may compel the owners of locks to open the same.

3 commissioners may order satisfaction for damages occasioned by overflowing.

or other liquor, coals, malt, wheat or other goods, which shall be part of the freight of such barge, boat or other vessel, and shall be thereof lawfully convicted before any one of his Majesty's justices of the peace for the county wherein, or adjoining to the place where, the offence shall be committed (who are hereby empowered to hear and determine such complaints in a summary way, and to convict the offenders, either upon their own confession, or upon the evidence of one credible witness upon oath, which oath such justices are hereby empowered to administer) such bargemen, boatmen, or other person or persons so offending, shall forfeit and pay the sum of forty shillings for every such offence, to any person or persons who will inform thereof, the same to be levied by distress and sale of the offender's goods, by warrant under the hand and seal of the justice before whom the complaint or information shall be made or laid: and in case such offender or offenders shall have no goods and chattels, whereby the penalty may be levied, or do not, upon demand, pay down the said forty shillings, then such justice shall and may send such offender or offenders to the house of correction, there to be kept to hard labour, for any time not exceeding the space of two months: and in such case the person or persons so informing, shall be allowed and paid the said sum of forty shillings, by the county treasurers of the two counties between which that part of the said river shall run, where the offence shall happen to be committed, in equal shares and proportions: and the treasurers of such counties are hereby required to pay the same, upon the informer or informers producing a certificate of the conviction of the said offender or offenders, under the hand of the justice before whom the information shall be laid: and that such offender or offenders had no goods and chattels, whereon the penalty could be levied as aforesaid.

XVI. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any two of the said commissioners upon the complaint of, and oath made by any of the tenants or occupiers of the meadows above, that the water runs over the water-mark, and that their meadows are in danger of being overflowed, to send, under their respective hands and seals, a warrant directed to the constable or constables of the parish or tything, or some neighbouring parish or tything to the place where the offence shall be committed, thereby authorizing and empowering him or them to give notice of such complaint to the several tenants or occupiers of the said locks, weirs, turnpikes, dams and floodgates; and on their refusal to open the same, to compel the said tenants or occupiers of the said locks, weirs, turnpikes, dams and flood-gates, to open, and keep open the same, as occasion shall require, till the water is sunk below the water-mark, and no longer: and if any damage shall be sustained by the tenants or occupiers of such meadows, occasioned either by the occupiers or tenants of such locks, weirs, turnpikes, dams and flood-gates, penning above the water-mark, so as aforesaid set by the said commissioners; or neglecting or refusing

refusing to draw, after fuch notice as aforefaid; any three or more of the faid commiffioners fhall, at any of their fub-meetings to be held as aforefaid, within the fpace of fourteen days next enfuing, on proof made on oath as aforefaid, of the damage or damages, order fuch fatisfaction as to them fhall feem juft: and if any or either of the tenants or occupiers of any locks, weirs, bucks, turnpikes, dams or flood-gates, fhall refuse to pay fuch fum or fums of money fo ordered, within thirty days after fuch order made, and notice thereof given, he or they fo refusing fhall forfeit the fum of five pounds, over and above the fum or fums fo ordered, to be levied by diftreff and fale of the offender's goods and chattels, by warrant under the hands and feals of any three or more of the faid commiffioners as aforefaid.

Penalty of not paying.

XVII. *And whereas great inconveniencies and damages do often happen to light-loaded barges, boats and other veffels, by deep-loaded barges, boats and other veffels, lying acrofs or aground in the faid rivers; and thereby or otherwise obftruding and preventing the paffage of fuch light-loaded veffels, which otherwise might pafs: for remedy whereof, be it further enacted by the authority aforefaid, That it fhall and may be lawful for any one or more of the faid commiffioners, on his or their view, or on complaint thereof made to him or them by the owners or navigators of fuch light-loaded barges, boats or other veffels, to order the owners or navigators of fuch deep-loaded barges, boats or other veffels, by warrant under his or their hands, forthwith to remove fuch obftructions, by lightening their faid veffels, or otherwise, in fuch manner as the faid commiffioner or commiffioners fhall think fit; and to fuffer the faid light-loaded barges, boats or other veffels to pafs; and upon non-compliance with fuch order, to affefs and levy by warrant under fuch commiffioner or commiffioners hands and feals, to be directed to the conftables, or other peace officers, of the parifh or place wherein or near to the place where fuch complaint fhall arife, fuch penalty not exceeding the fum of five pounds, upon the goods and chattels of the offender or offenders, or the tackle belonging to his or their barge or barges, as the faid commiffioner or commiffioners fhall think proper, or adequate to the damage to be thereby fuftained by the owner or owners of fuch light-loaded veffel or veffels, and to be paid to the perfon next immediately fuftaining the damage occafioned by his boat or veffel's being ftopt.*

Commiffioners may make order concerning deep-loaded barges, by obftruding the navigation.

Penalty of non-compliance.

XVIII. *And be it enacted by the authority aforefaid, That if it fhall appear, either by view of any three or more of the faid commiffioners, or upon complaint made on oath, to be taken and adminiftered as herein before directed, to any five or more of the faid commiffioners, at any of the faid fub-meetings, that any owner or occupier of any lock, weir, turnpike, dam or flood-gate, or any other perfon or perfons, hath removed any water-mark, fo as aforefaid fet or appointed by the faid commiffioners, that the perfon or perfons fo removing the fame fhall forfeit and pay the fum of five pounds, to be recovered at any*

Penalty of removing water-marks.

any of the faid sub-meetings, in a fummary way, by any perfon or perfons who will complain or inform thereof, and levied by diftreff and fale of the offender's goods and chattels, in manner aforefaid.

Commissioners may make order for cleaning the rivers;

and impofe a rate on barges, &c.

and appoint receivers.

Owners of barges to affix their names and places of abode, &c. on their veffels.

Penalty.

XIX. *And whereas it may be neceffary to cleanse, fcur, clear and ballaft the faid rivers in many places*; be it enacted by the authority aforefaid, That it fhall and may be lawful to and for the faid commiffioners, or any feven or more of them, at any of their general meetings, by any order under their hands and feals, to caufe the faid rivers, or fuch parts thereof as to them fhall feem meet, to be cleaned, fcoured, cleared and ballafted, and all obftructions and annoyances in and upon the faid rivers to be removed; and to defray the charges and cofts of fuch clearing, cleaning, fcouring and ballafting; and removing all obftructions and annoyances aforefaid; as alfo to defray the incidental expences of printing and publishing the orders of the commiffioners; and for the making a reafonable recompence to the feveral clerks of the peace, for tranfmitting duplicates of fuch orders as aforefaid; and for paying the falaries of fuch officers as the commiffioners fhall think fit to appoint, for the infpecting the execution of this aft; it fhall and may be lawful to and for the faid commiffioners, or any feven or more of them, at any of their general meetings, to impofe and fet a rate or rates, to be paid by the owner or owners of every boat, barge or veffel, paffing the faid place fo cleared, cleaned, fcoured and ballafted; and to appoint a receiver or receivers thereof until a fufficient fum be raifed for defraying the expence thereof: and in cafe the owner or owners of fuch boat, barge or veffel fhall neglect or refufe to pay the faid rate or rates, fo directed to be paid, that then it fhall and may be lawful to and for the faid commiffioners, or any feven or more of them, by warrant under their hands and feals, directed to fuch receiver or receivers, to levy the monies fo rated, or directed to be paid, upon the goods and chattels of the perfon or perfons fo refufing or neglecting to pay the fame, and to difpofe of and fell the goods and chattels fo levied, and to deduct thereout the faid rates fo directed to be paid, together with the cofts and charges of fuch warrant, diftreff and fale, rendering the overplus to the perfon or perfons fo refufing or neglecting to pay the faid rate or rates as aforefaid.

XX. Provided always, and be it enacted by the authority aforefaid, That the owners of all boats, barges and other veffels, of the burden of twenty tons, and upwards, navigating the faid rivers, fhall caufe his, her or their name or names, and place of abode, together with the dimenfions and tonnage of his, her or their boat, barge or veffel, to be fet on fome conspicuous place of their refpective boats, barges or veffels: and every owner or owners neglecting fo to do, or fuffering his, her or their boat, barge or other veffel, to navigate in or upon the faid rivers, or either of them, without their refpective names, place of abode, dimenfion and tonnage thereon, fhall forfeit and pay the fum of forty fhillings for every fuch offence, to any perfon or perfons who

who will make information or complaint thereof to the ſaid commiſſioners, at any or either of their ſub-meetings, to be, as aforeſaid, held, the ſame to be levied by diſtreſs and ſale of the offenders goods as aforeſaid, ſo as the offender or offenders be thereof firſt duly convicted by the ſaid commiſſioners, at any of their ſub-meetings as aforeſaid.

XXI. *And whereas for improving the navigation of the rivers Thames and Iſis, it is found expedient to put ſuch part of the river of Kennet, as is between the common landing-place at Reading aforeſaid, and the mouth of the ſaid river of Kennet, under the ſame regulation and management*; be it therefore enacted by the authority aforeſaid, That the commiſſioners appointed by this act ſhall be commiſſioners for carrying on and regulating the navigation of the aforeſaid part of the ſaid river *Kennet*, in like manner as they are hereby appointed commiſſioners concerning the navigation of the ſaid rivers of *Thames* and *Iſis*; and that all and ſingular the powers and authorities by this act given to, or veſted in, the ſaid commiſſioners, relating to the navigation of the ſaid rivers of *Thames* and *Iſis*, ſhall extend to, and the ſaid commiſſioners are hereby authorized to exerciſe the ſame over the aforeſaid part of the ſaid river *Kennet*, and over all perſons, boats, barges and veſſels navigating the ſame, or any ways concerned therein, and the locks, weirs, turnpikes, dams, flood-gates and other engines thereon, and the adjacent lands, meadows, tenements and premiſſes; and to make all ſuch, or any of the orders and conſtitutions relating thereto, as are herein mentioned, and in like manner as the ſaid commiſſioners are hereby authorized to do, of and concerning the navigation of the ſaid rivers of *Thames* and *Iſis*, and the matters and things relating thereto, or any perſons intereſted or concerned therein.

XXII. Provided always, That nothing in this act contained ſhall extend, or be conſtrued to extend, to take away any jurisdiction, power or authority of the mayor, commonalty and citizens of the city of *London*, or any other body politick or corporate, or other perſon or perſons whatſoever.

XXIII. And be it further enacted by the authority aforeſaid, That all the orders of the ſaid commiſſioners ſhall be kept by the clerks of the peace aforeſaid, among the records of the ſeſſions of the peace in the reſpective counties where the ſame ſhall be made; and that ſuch clerks of the peace, reſpectively, ſhall permit the ſame to be inſpected by all perſons deſiring the ſame, at convenient times; and ſhall deliver copies thereof, or of any part thereof, to any perſon deſiring the ſame, taking for the ſearches and copies thereof, reaſonable fees, to be limited by the ſaid commiſſioners from time to time, at their general meetings aforeſaid.

XXIV. And be it enacted and declared by the authority aforeſaid, That this act ſhall be deemed a publick act, and ſhall be taken notice of as ſuch, without ſpecially pleading the ſame: and if any action ſhall be brought, or ſuit commenced, againſt any perſon or perſons for any thing done in purſuance of this act,

General iſſue.

act, every ſuch action or ſuit ſhall be brought or commenced in the county or place where the cauſe of action or ſuit doth ariſe, and not elſewhere, and within the ſpace of fix months next after ſuch cauſe of action ſhall accrue; and the defendant or defendants, in ſuch action or ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon; and that the ſame was done in purſuance and by the authority of this act: and if the ſame ſhall appear to have been ſo done, or if any ſuch action or ſuit ſhall be brought or commenced after the time before limited for bringing or commencing the ſame, or ſhall be brought or commenced in any other county or place, then, and in ſuch caſe, the jury ſhall find for the defendant or defendants; and in ſuch caſe, or if the plaintiff or plaintiffs ſhall become nonſuit, or ſuffer a diſcontinuance of his, her or their action or actions, or if any verdict ſhall paſs againſt the plaintiff or plaintiffs, or if, upon demurrer, judgement ſhall be given againſt the plaintiff or plaintiffs, the defendant or defendants, ſhall and may recover double coſts, and ſhall have the like remedy for the ſame as any defendant or defendants hath or have for coſts of ſuit in other caſes by law.

Double coſts.

Charges of this act how to be paid.

XXV. And be it enacted by the authority aforeſaid, That the coſts and charges of obtaining this act ſhall be paid by the treaſurers of the ſeveral counties of *Middleſex, Surry, Bucks, Berks, Oxford, Glouceſter and Wilts*, through which the ſaid rivers run, in equal ſhares, that is to ſay, by every treaſurer of the ſaid ſeveral counties, one ſeventh part, to *William Cooke of Great Farringdon* in the county of *Berks*, gentleman, his executors or adminiſtrators, upon his or their producing to ſuch treaſurers reſpectively the bill of coſts and diſburſements, on account of paſſing this act, ſigned by any five of the ſaid commiſſioners, or their certificate, or allowance thereof: and the ſaid treaſurers of the ſaid counties are hereby required to pay the ſame accordingly, on ſight of ſuch bill, certificate or allowance, ſo as aforeſaid ſigned; and the receipts of the ſaid *William Cooke*, his executors or adminiſtrators, ſhall be good and ſufficient vouchers to ſuch treaſurers reſpectively, and allowed in their reſpective accounts for what they ſhall ſo as aforeſaid reſpectively pay to the ſaid *William Cooke*, his executors or adminiſtrators, in purſuance of this act.

6 & 7 W. 3.
c. 16and 3 Geo. 2.
c. 11. repealed.

XXVI. And be it further enacted by the authority aforeſaid, That from and after the end of this preſent ſeſſion of parliament, the ſaid act made in the ſixth and ſeventh years of his late majeſty King *William the Third*, intituled, *An act to prevent exactions of the occupiers of locks and weirs upon the river of Thames weſtward, and for aſcertaining the rates of water-carriage upon the ſaid river*: and alſo the ſaid other act, made in the third year of the reign of his preſent Majeſty, intituled, *An act for re-viving and amending an act made in the ſixth and ſeventh years of the reign of his late majeſty King William the Third, intituled, An act to prevent exactions of the occupiers of locks and weirs upon*

the river of *Thameſ* weſtward; and for aſcertaining the rates of water-carriage upon the ſaid river; ſhall be, and the ſame are hereby repealed.

CAP. IX.

An act for repairing the road leading from Weſt-Lavington to the Devizes, and from the Devizes to Scend in the county of Wilts.

Certain tolls granted for 21 years.

CAP. X.

An act for enlarging the term and powers granted by two acts of parliament, for repairing the highways through the ſeveral pariſhes of Saint Michael, Saint Alban, Saint Peter, Shenley-Ridge and South Mims, in the counties of Hertford and Middleſex.

The acts 1 Geo. 1. and 8 Geo. 2. c. 9 continued for 21 years.

CAP. XI.

An act for reducing the intereſt upon the capital ſtock of the South Sea company, from the time and upon the terms therein mentioned; and for preventing of frauds committed by the officers and ſervants of the ſaid company.

Moſt gracious Sovereign,

WHEREAS the corporation of the governor and company of merchants of Great Britain trading to the South Seas, and her parts of America, and for encouraging the fiſhery, have proſeſſed to accept of four pounds per centum per annum on their capital ſtock, to Chriſtmas, one thouſand ſeven hundred and fifty ſeven, and then to ſtand reduced to three pounds per centum per annum, ſubſequent to the receipt from the exchequer, and charges of management, on the preſent old and new South Sea annuities, be continued as they now are; and alſo the charges of management on the capital ſtock of the ſaid company be continued; and that all the rights and exemptions, with regard to the redemption of the ſame, be confirmed in the ſame manner as they now ſtand: and your Maſteſty's dutiful and loyal ſubjects the commons of Great Britain in parliament aſſembled, having duly conſidered the ſaid propoſal, have reſolved to accept thereof, in full diſcharge of all demands which the ſaid company could claim of the King of Spain, on account of the *aſſiento*, or annual ſhip, or on any account whatſoever, over and above the ſum of one hundred thouſand pounds paid purſuant to treaty: and do therefore moſt humbly beſeech your Maſteſty that it may be enacted, and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That the ſaid governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fiſhery, ſhall have, receive and enjoy, and ſhall be intitled, by virtue of this act, to receive, receive and enjoy the preſent annuity of four pounds per centum per annum, payable on their ſaid capital ſtock, until the twenty fifth day of December one thouſand ſeven hundred and ſixty ſeven; and that from and after the ſaid twenty fifth day of

which is then
to be reduced
to 31. per cent.

Charges of
management
upon their old
and new an-
nuities, to be
continued, &c.

Officer or ser-
vant of the
company em-
bezilling, &c.
any effects of
the company
intrusted with
him,

to suffer death
as a felon.

December one thousand seven hundred and fifty seven, the said annuity of four pounds *per centum per annum* shall be reduced to an interest after the rate of three pounds *per centum per annum*, until the redemption thereof, in full discharge of all demands which the said company could or might claim of the King of Spain, on account of the assiento, or annual ship, or on any account whatsoever, over and above the sum of one hundred thousand pounds paid pursuant to treaty.

II. Provided always, and it is hereby further enacted by the authority aforesaid, That the said governor and company shall continue to receive from the receipt of his Majesty's exchequer, so much monies out of the funds appropriated for that purpose, as shall, from time to time, become due and payable for the interest of, and charges of management upon such part of the said old and new *South Sea* annuities, as are not redeemed, and on the capital stock of the said company, as they now have and receive; and that all the rights and exemptions, with regard to the redemption of the said capital stock of the said company, shall be, and are hereby, confirmed in the same manner as they now stand; any thing in this or any former act or acts of parliament contained to the contrary thereof in any wise notwithstanding.

III. And be it further enacted by the authority aforesaid, That if any officer or servant of the said company, being intrusted with any note, bill, dividend-warrant, bond, deed, or any security, money or other effects belonging to the said company, or having any bill, dividend-warrant, bond, deed, or any security, money or effects of any other person or persons, lodged or deposited with the said company, or with him as an officer or servant of the said company, shall secrete, embezel or run away with, any such note, bill, dividend-warrant, bond, deed, security, money or effects, or any part of them, every officer or servant so offending, and being thereof convicted in due form of law, shall be deemed guilty of felony, and shall suffer death as a felon without benefit of clergy.

CAP. XII.

An act for appointing commissioners to put in execution an act made in the twenty second year of the reign of King Charles the Second, for making navigable the rivers commonly called Brandon and Waveney; so far as the same relates to the navigation of the river commonly called the Lesser Ouze, from Thetford to Brandon, and from Brandon to a place called the White House, near Brandon ferry, in the counties of Norfolk and Suffolk.

22 Car. 2.
private.

WHEREAS by an act of parliament passed in the twenty second year of the reign of King Charles the Second, for making navigable the rivers commonly called Brandon and Waveney, divers persons therein named were constituted commissioners for determining all controversies which might arise in making the said rivers navigable,
in

in maintaining the navigation thereof, in settling the rates of carriage of goods on the said rivers, and for ascertaining the damages done to the banks of the said rivers by hauling and drawing of vessels navigated thereon; and power was given to the commissioners appointed by the said act, or any five of them, to chuse other persons, residing in the counties of Norfolk and Suffolk, to be commissioners, instead of such commissioners as should from time to time die: and whereas all the commissioners appointed to put into execution so much of the said act as relates to the navigation of the said river commonly called the Lesser Ouze, from Thetford to Brandon, and from Brandon to a place called the White House, near Brandon ferry, have been long since dead; and that no new commissioners were appointed in their stead and place, pursuant to the power vested in them by the said act: and whereas some disputes have of late years arisen between the owners of lands adjoining to the said river commonly called the Lesser Ouze, from Thetford to Brandon, and from Brandon to a place called the White House, near Brandon ferry, relating to the hauling-ways there, and other matters relating to the said navigation, which cannot be adjusted and settled by any other means than by expensive and tedious law suits, unless some further provision be made by parliament for appointing new commissioners, and investing them with the like powers and authorities as were granted to the commissioners appointed by the said former act relating to the said navigation; may it therefore please your Majesty that it may be enacted, &c.

Commissioners appointed to put the act of 22 Car. 2. in execution, so far as relates to the navigation of the Lesser Ouze.

CAP. XIII.

An act for repairing the road from Crosford Bridge, through the townships of Stretford and Hulme, to the town of Manchester, in the county palatine of Lancaſter. *Certain tolls granted for 21 years.*

CAP. XIV.

An act for explaining and amending an act passed in the twenty-first year of the reign of his present Majesty, intituled, An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers of the city of London, and for other purposes therein mentioned.

WHEREAS by an act of parliament made and passed in the twenty-first year of the reign of his present Majesty, intituled, *An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers of the city of London, after reciting that by indentures of lease and release, bearing date respectively the third and fourth days of October one thousand six hundred and ninety-nine, and inrolled in the high court of Chancery, the wardens and commonalty of the mystery of Mercers of the city of London, did grant and release divers messuages and tenements, tofts, gardens, ground and hereditaments, of and belonging to the said wardens and commonalty, situate and being in the city of London, and in the county of Middlesex, therein particularly mentioned and described,* 21 G. 2. c. 13.

together with one full moiety of all that great fabrick and place called the Royal Exchange, London, and other tenements in, under, upon or near the same, therein particularly mentioned and described; and also all that the manor of Mercers, with the rights, members and appurtenances thereof, lying and being in the county of Londonderry in Ireland, and divers other lands, tenements and hereditaments in Ireland, in the same indentures more particularly mentioned and described, unto Sir William Hedges, and several other persons, as trustees, their heirs and assigns, upon trust, amongst other things, to pay and satisfy several charitable gifts; and also such annuities to be granted by the said wardens and commonalty, during the lives of the wives of clergymen, or of other persons, surviving their husbands, in such manner as in the said act is mentioned; and also reciting that by indentures of lease and release, bearing date the first and second days of June one thousand seven hundred and forty-one, Richard Chiffwell the elder, Sir Thomas Webster, David Papillon and Clement Tookie, therein named, being then the only surviving trustees in certain indentures of lease and release, bearing date the first and second days of June one thousand seven hundred and seventeen, in the said act mentioned and referred to, did, by the direction and appointment of the said wardens and commonalty, grant and convey the said several trust estates to the use of themselves, and other trustees therein named, their heirs and assigns, upon certain trusts, and for divers purposes mentioned in the said act, or in certain deeds therein referred to; and also reciting that the trustees, in whom the legal interest of the said estates comprized in the said indentures of the third and fourth of October one thousand six hundred and ninety-nine, and the said indentures of the first and second of June one thousand seven hundred and forty-one, was then vested, might refuse to act; and that it might be for the benefit of the said annuitants, that building and repairing leases should be lett of the several estates that are within the city of London and county of Middlesex, and also that such of the said estates as are in the kingdom of Ireland, should be lett for a term of years, or for lives and a term of years; it was enacted, That it should and might be lawful to and for the said wardens and commonalty, and their successors, from time to time, by any deed or deeds indented under the common seal of the said wardens and commonalty, to demise and lease all or any part of the said estates (except as therein after is excepted) for any term or number of years not exceeding twenty-one years absolute, in possession, and not in reversion, reserving the most improved rent that could be had for the same, without taking any fine or other thing, by way of income, for granting any lease or leases thereof, and so as no such lease or leases should be made dispensable of waste, and so as the respective lessees should seal and execute counterparts of such lease or leases respectively; in which said act is contained a proviso, that it should and might be lawful to and for the said wardens and commonalty, and their successors, to demise and lease the manor of Mercers, part of the said estates in the kingdom of Ireland, with the rights, members and appurtenances, or any part or parts thereof, for any term or number of years not exceeding sixty-one years in possession, or for sixty one years in possession, and for the lives of
any

any three persons, and the life of the longer liver of them; and that they should and might take such fine or fines, or other consideration, for the granting such lease or leases, and reserve such yearly or other rent or rents thereon, as could be reasonably obtained, so as the reserved rent upon any such lease be not less than the rent then reserved to the said wardens and commonalty; and also that it should and might be lawful to and for the said wardens and commonalty to demise and lease the several messuages and tenements, part of the said estates, situate, lying, standing and being, in or near Long Acre in the county of Middlesex; and all other the messuages or tenements belonging to the said estates, which they should deem necessary to lett upon building or repairing leases, according to the common or usual method of letting such leases; videlicet, the building leases for any term or number of years not exceeding sixty-one years, and the repairing leases for any term or number of years not exceeding forty-one years, to commence from the date or dates of any such leases; and should and might take such fine or fines, or other consideration; and such yearly and other rent or rents, for granting such lease or leases, as they should think fit; in which building lease or leases, power should be given to the respective lessees, or their agents, to pull down and demolish the old buildings, and to dispose of the materials, as they should respectively think fit; and also a proviso, that no lease or leases of any part of the said estates (except the estates in Ireland and Long Acre) should be granted till within the space of three years next before the expiration of such lease or leases as were then in being: and whereas the trustees named and appointed by the said deeds of the first and second days of June one thousand seven hundred and forty-one, decline acting in the said trust: and whereas the powers given to the said wardens and commonalty by the said recited act, are not sufficient to enable the said wardens and commonalty to grant such lease or leases of their estate in Ireland, as was meant and intended by the said act, they should have power to grant, inasmuch as by the said act, the leases they are thereby enabled to grant, are to be for any term or number of years not exceeding sixty-one years in possession, or for sixty-one years in possession and for the lives of any three persons, and the life of the longer liver of them: and whereas the said Irish estate is now lett on lease or leases which are not yet expired; and the power given by the said act to grant leases for sixty-one years, being restrained and limited to be for sixty-one years in possession; and the power of granting leases for three lives, being a power to grant a freehold, the same cannot by the rules of law, be granted to commence in futuro; so that the said wardens and commonalty, as the act now stands, cannot legally grant any lease of the said Irish estate, either for sixty-one years, or for three lives and sixty-one years, until the lease or leases thereof now in being are expired or surrendered, without the aid of an act of parliament for explaining and amending the said recited act, with respect to the power of granting leases of the said estate: and whereas it will be greatly for the advantage of the annuitants of the said wardens and commonalty, that the said wardens and commonalty should be now enabled, and have power, to grant leases of their said Irish estate, to commence at the expiration of the leases thereof now subsisting, reserv-

Anno viceſimo quarto GEORGII II. c. 15, 18. [1751.]

ing the preſent rent, and taking the beſt fine that can be got for the ſame, according to the true intent and meaning of the ſaid recited act; may it therefore pleaſe your moſt excellent Maſteſty, at the humble requeſt of your loyal and dutiful ſubjects, the wardens and commonalty of the myſtery of Mercers of the city of London, that it may be enacted, &c.

Mercers company may grant leaſes of their eſtate in Ireland, in reverſion for 61 years, or for three lives, and take fines, &c. They may grant building leaſes for 61 years, &c. and repairing leaſes for 41 years, of their eſtate in Long Acre, and take fines; and may leaſe their other eſtates in London and Middleſex, for 21 years; and grant building leaſes for 61 years, and repairing leaſes for 41 years, without fines. Leaſes of the eſtates in London and Middleſex not to be granted until within 3 years of the expiration of the preſent leaſes. No leaſe to be valid, unleſs conſented to by the annuitants and creditors, &c. Deeds and ſettlements not altered by this act. Rights of the crown and of other perſons reſerved. Publiſh act. Amended 25 Geo. 2. c. 7.

CAP. XV.

An act to enable the pariſhioners of the pariſh of Saint Mary, Iſlington, in the county of Middleſex, to rebuild the church of the ſaid pariſh.

CAP. XVI.

An act for the more ſpeedy and eaſy recovery of ſmall debts within the city of Lincoln, and county of the ſame city, and the liberties and precincts thereof: and within the bail of Lincoln in the county of Lincoln.

CAP. XVII.

An act for repairing the road leading from the eaſt end of Brumpton High Lane in the county of York, to the town of Richmond, and from thence to and through the towns of Askrigg and Ingleton in the ſaid county, to the town of Lancaſter in the county of Lancaſter.

Certain tolls granted for 21 years.

CAP. XVIII.

An act for the better regulation of trials by jury; and for enlarging the time for trials by Niſi Prius in the county of Middleſex.

3 Geo. 2. c. 25. **W**HEREAS by an act made in the third year of the reign of his preſent Maſteſty, intituled, An act for the better regulation of juries; it is amongſt other things enacted, That the perſon or party who ſhall apply for a ſpecial jury to be ſtruck in the manner therein mentioned, ſhall bear and pay the fees for the ſtriking ſuch jury, and ſhall not have any allowance for the ſame upon taxation of coſts: and whereas the ſaid claule doth extend only to the fees paid for ſtriking ſuch ſpecial jury; by reaſon whereof ſpecial juries have frequently been applied for in ſmall and trivial cauſes, in order to burden the other party with the expence thereof; which practice has been found to be very inconvenient and oppreſſive: and whereas one other act was made in the ſixth year of the reign of his preſent Maſteſty, intituled, An act for making perpetual the ſeveral acts therein mentioned, for the better regulation of juries; and for empowering the juſtices of ſeſſion or aſſizes for the counties palatine of Cheſter, Lancaſter and Durhams, to appoint a ſpecial jury in manner therein

6 G. 2. c. 37.

therein mentioned; and for continuing the act for regulating the manufacture of cloth in the west riding of the county of York (except a clause therein contained) and for continuing an act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and for other purposes therein mentioned, and to prevent the cutting or breaking down the bank of any river, or any sea bank; and to prevent the malicious cutting of hop-binds; and for continuing an act made in the thirteenth and fourteenth years of the reign of King Charles the Second, for preventing theft and rapine upon the northern borders of England; and for reviving and continuing certain clauses in two other acts made for the same purpose; *whereby it is amongst other things enacted, That the said act for the better regulation of juries, should be, and was thereby made perpetual; and it was thereby also enacted, That the justices of the siftem or affizes for the counties palatine of Chester, Lancaster and Durham, should and might, upon motion, order and appoint a jury to be struck before the proper officer of each court respectively, for the trial of any issue in any of the cases, and in such manner as are therein mentioned; for remedy thereof be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of Easter term, which shall be in the year of our Lord one thousand seven hundred and fifty-one, the person or party who shall by virtue of either of the said acts apply for such special jury, shall not only bear and pay the fees for striking such jury, but shall also pay and discharge all the expences occasioned by the trial of the cause by such special jury, and shall not have any further or other allowance for the same, upon taxation of costs, than such person or party would be intitled unto in case the cause had been tried by a common jury, unless the judge before whom the cause is tried shall immediately after the trial, certify in open court under his hand upon the back of the record, that the same was a cause proper to be tried by a special jury.*

Persons applying for special juries, to pay the expences of striking the same, and the charges occasioned by the trial, &c.

II. *And whereas complaints are frequently made of the great and extravagant fees paid to jurymen returned under the authority of the said recited acts; be it enacted by the authority aforesaid, That no person who shall, after the said first day of Easter term, serve upon any jury appointed or returned by authority of any of the said acts, shall be allowed or take for serving on any such jury more than the sum of money which the judge who tries the issue or issues shall think just and reasonable, not exceeding the sum of one pound one shilling, except in causes wherein a view hath been or shall be directed.*

Fees allowed to jurymen.

III. *And whereas by an act passed in the fourth year of the reign of her late majesty Queen Anne, (intituled, An act for the amendment of the law, and the better advancement of justice) it is enacted, That from and after the first day of Trinity term one thousand seven hundred and six, every Venire facias for the trial of any*

Venire facias
for the trial of
an iſſue upon
a penal ſtatute,
to be awarded
of the body of
the county
where the iſſue
is triable.

iſſue, in any action or ſuit in any of her Maſteſty's courts of record at Weſtmiſter, ſhall be awarded of the body of the proper county where ſuch iſſue is triable; but in the ſaid act there is contained a proviſe, that the ſame ſhall not extend to any action or information upon any penal ſtatute, which proviſe has, by experience, been found inconvenient, by reaſon of challenges to the arrays of panels of jurors, and to the polls for default of hundredors; therefore, for prevention thereof for the future, be it enacted, That from and after the ſaid firſt day of Eaſter term, every Venire facias for the trial of any iſſue, in any action or information upon any penal ſtatute, in any of his Maſteſty's courts of record at Weſtmiſter, in the counties palatine of Lancaſter, Cheſter and Durham, and the principality of Wales, ſhall be awarded of the body of the proper county where ſuch iſſue is triable; any thing in the ſaid act to the contrary notwithstanding.

No challenge
to be taken to
any panel of
jurors for want
of a knight's
being returned,
&c.

IV. And whereas great delays do frequently happen in trials, where a peer or lord of parliament is party, by reaſon of challenges to the arrays of panels of jurors, for want of a knight's being returned on ſuch panels; for remedy thereof for the future, be it enacted by the authority aforeſaid, That from and after the ſaid firſt day of Eaſter term, no challenge ſhall be taken to any panel of jurors, for want of a knight's being returned in ſuch panel, nor any array quaſhed by reaſon of any ſuch challenge taken after that time; any law, uſage or cuſtom to the contrary notwithstanding.

32 Geo. 1. c. 31.

V. And whereas by an act of parliament made in the twelfth year of the reign of King George the Firſt, intituled, An act for the better regulating trials by Niſi Prius in the county of Middleſex; power and authority is given to the chief juſtice of the King's Bench, the chief juſtice of the Common Pleas, and the chief baron of the court of Exchequer, for the time being, and every of them reſpectively, and in the abſence of any of them, to and for any other judge or baron of the ſaid ſeveral courts, as juſtices of Niſi Prius for the ſaid county of Middleſex, within the term, or within the ſpace of eight days after the end of any term reſpectively, to try all ſuch iſſues as by an act of parliament made in the eighteenth year of the reign of Queen Elizabeth, (intituled, An act for trial of Niſi Prius in the county of Middleſex) they, or any of them, are enabled to try, in ſuch place and manner, and with and under ſuch powers, authorities and proviſions, as in the ſaid laſt-mentioned act, or any other act of parliament, or law whatſoever concerning the premiſſes, are preſcribed and contained: and whereas the reſtraining the time for ſuch trials after the term, to eight days, hath been found inconvenient, and occaſioned delay of juſtice; be it therefore enacted by the authority aforeſaid, That from and after the firſt day of Eaſter term in the year of our Lord one thouſand ſeven hundred and fifty-one, it ſhall and may be lawful to and for the chief juſtice of the King's Bench, the chief juſtice of the Common Pleas, and the chief baron of the court of Exchequer, for the time being, and every of them reſpectively, and in the abſence of any of them, to and for any other judge or baron of the ſaid ſeveral courts, as juſtices of Niſi Prius for the ſaid county of Middleſex, at any time or times

11 Eliz. c. 12.

Juſtices of Niſi Prius for the county of Middleſex may, within 14 days after the end of term, try iſſues.

at any time or times

times within the space of fourteen days after the end of any term respectively, to try all such issues as by the before-mentioned acts they or any of them are enabled to try, in such place and manner, and under such powers, authorities and provisions as in and by the aforesaid acts, or any other act of parliament or law whatsoever concerning the premises, are prescribed and contained; any thing in the before-mentioned acts to the contrary hereof in any wise notwithstanding.

CAP. XIX.

An act for making the river Nar navigable, from the town and port of King's Lynn to Westacre, in the county of Norfolk.

WHEREAS the river Nar in the county of Norfolk, is very capable of being made navigable, from the town and port of King's Lynn to Westacre in the said county; and the same, if effected, will be of great benefit and advantage, not only to the said town of King's Lynn, but to all the towns and places situate near the said river, and be a general benefit to all the adjacent country, by better accommodating the same with necessaries, and by opening and facilitating trade and commerce, whereby navigation and the number of watermen will be increased, the poor find employment, and the high-ways thereabouts, now worn by the weight of heavy and frequent carriages, will be better supported and maintained; to the end therefore that the said river Nar may be made navigable for boats, barges and other vessels, from the said town and port of King's Lynn to Westacre aforesaid; be it enacted, &c.

Commissioners may contract with persons to make the river navigable. Undertakers may remove annoyances, &c. and erect locks above Setch Bridge, &c. and set out towing-paths. Satisfaction to be made to the owners of grounds. Seven commissioners may receive proposals; nine to be present at making the contracts. Notice of meeting for that purpose to be given. If the adjourned meetings be not held as often as necessary, five commissioners may summon a meeting. Nine commissioners may agree with the owners of such lands as shall be made use of, and settle the proportion payable thereout to the tenant. If any persons shall refuse, or be incapable of making such agreement, a jury to be impanelled, who may view the lands, and assess the recompence. Verdict to be kept amongst the records of the sessions. Commissioners may summon witnesses, and impose fines on the sheriff and others making default in the premises, to be levied by distress and sale. Tolls to be paid for goods carried up or down the river, which are vested in the commissioners, and may be levied by distress and sale. No toll to be paid for goods carried not more than a furlong above Setch Bridge. Commissioners may appoint collectors and treasurers of the tolls, and other officers, and administer an oath of office to them, &c. Salaries to be allowed to the officers. Watermen to give an account of the quantity and quality of goods on board, &c. Penalty on his refusal, &c. Commissioners to set up gates, &c. where towing paths shall be set out. If the river shall be raised above its usual height by weirs or dams, the banks are to be proportionably raised. If new cuts, &c. be made, &c. which render the ways impassable, bridges are to be built over them. Commissioners may make orders concerning the navigation of the river. No haling with horses allowed between King's Lynn and Sandringham Eau. Penalty on commissioner acting where he is interested. Commissioners may make by-laws, &c. with penalties,

penalties. Persons aggrieved by any by-law may appeal to the quarter-sessions. Royalties of the river reserved to the lords, &c. No toll for pleasure-boats. Commission of sewers not abridged by this act. Boat-master answerable for damages done by his boat or crew. Justice to inquire into, and order the recompence. Penalty of obstructing the passage of other vessels, or of the opening or shutting the locks, &c. Penalty on watermen carrying a gun or net to fowl or fish with. Application of the forfeiture, &c. Persons aggrieved by the order of any justice, may appeal to the sessions. Order of the justices not removeable by *Certiorari*. No order of the commissioners to be quashed for want of form. Commissioners may borrow money on the tolls.

CAP. XX.

An act for repairing and widening the road from Preston to Lancaster, and from thence to a place called Heiring Syke, that divides the counties of Lancaster and Westmorland. *Certain tolls granted for 21 years.*

CAP. XXI.

An act for enlarging the term and powers granted by an act passed in the third year of the reign of his present Majesty, *for repairing and amending the several roads leading from Woodstock through Kiddington and Engham to Redright Lane, and from Enslow Bridge to Kiddington aforesaid, in the county of Oxford; and for making the said act more effectual. The act 3 Geo. 2. c. 21 continued for 21 years, &c.*

CAP. XXII.

An act for explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty for the repairing and enlarging the roads from the town of Selby in the west riding of the county of York, to the town of Leeds; and from thence, in two several branches, one through Bradford and Horton, and the other through Bowling and Wibsey, to the town of Halifax in the same riding, as relates to that part of the said roads which lies between Selby and Leeds; and also for repairing the road from Tadcaster in the said west riding, over Bramham Moor through Kidball Lane, over Win Moor, and through Seacroft to a place called Halton Dyal, where it comes into the above-said road, between Selby and Leeds. *The act 14 Geo. 2. c. 32. continued for 21 years, and amended.*

CAP. XXIII.

An act for regulating the commencement of the year; and for correcting the calendar now in use.

Amended by
25 Geo. 2. c. 30.

WHEREAS the legal supputation of the year of our Lord in that part of Great Britain called England, according to which the year beginneth on the twenty-fifth day of March, hath been found by experience to be attended with divers inconveniencies, not only as it differs from the usage of neighbouring nations, but also from the legal method of computation in that part of Great Britain called Scotland, and from the common usage throughout the whole kingdom, and thereby frequent mistakes are occasioned in the dates of deeds, and other writings, and disputes arise therefrom: and whereas the calendar now in use throughout all his Majesty's British dominions, commonly called The Julian Calendar, hath been discovered to be erroneous, by means whereof the vernal or spring equinox, which at the time of the general council of Nice in the year of our Lord three hundred and twenty-five, happened on or about the twenty-first day of March, now happens on the ninth or tenth day of the same month; and

and the said error is still increasing, and if not remedied, would, in process of time, occasion the several equinoxes and solstices to fall at very different times in the civil year from what they formerly did, which might tend to mislead persons ignorant of the said alteration: and whereas a method of correcting the calendar in such manner, as that the equinoxes and solstices may for the future fall nearly on the same nominal days, on which the same happened at the time of the said general council, hath been received and established, and is now generally practised by almost all other nations of Europe: and whereas it will be of general convenience to merchants, and other persons corresponding with other nations and countries, and tend to prevent mistakes and disputes in or concerning the dates of letters, and accounts, if the like correction be received and established in his Majesty's dominions: may it therefore please your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That in and throughout all his Majesty's dominions and countries in *Europe, Asia, Africa* and *America*, belonging or subject to the crown of *Great Britain*, the said supputation, according to which the year of our Lord beginneth on the twenty-fifth day of *March*, shall not be made use of from and after the last day of *December* one thousand seven hundred and fifty-one; and that the first day of *January* next following the said last day of *December* shall be reckoned, taken, deemed and accounted to be the first day of the year of our Lord one thousand seven hundred and fifty-two; and the first day of *January*, which shall happen next after the said first day of *January* one thousand seven hundred and fifty-two, shall be reckoned, taken, deemed and accounted to be the first day of the year of our Lord one thousand seven hundred and fifty-three; and so on, from time to time, the first day of *January* in every year, which shall happen in time to come, shall be reckoned, taken, deemed and accounted to be the first day of the year, and that each new year shall accordingly commence, and begin to be reckoned, from the first day of every such month of *January* next preceding the twenty-fifth day of *March*, on which such year would, according to the present supputation, have begun or commenced: and that from and after the said first day of *January* one thousand seven hundred and fifty-two, the several days of each month shall go on, and be reckoned and numbered in the same order; and the feast of *Easter*, and other moveable feasts thereon depending, shall be ascertained according to the same method, as they now are, until the second day of *September* in the said year one thousand seven hundred and fifty-two inclusive; and that the natural day next immediately following the said second day of *September*, shall be called, reckoned and accounted to be the fourteenth day of *September*, omitting for that time only the eleven intermediate nominal days of the common calendar; and that the several natural days, which shall follow and succeed next after the said fourteenth day

The old supputation of the year, not to be made use of after Dec. 1751.

Year to commence, for the future, on 1 Jan.

The days to be numbered as now until 1 Sept. 1752; and the day following to be accounted 14 Sept. omitting 11 days.

Hilary and Michaelmas terms, and all courts, to be held on the same nominal days.

Courts held with fairs or marts excepted.

Hundredth years, except every fourth hundred, to be common years of 365 days.

Years bissextile of 366 days.

day of *September*, shall be respectively called, reckoned and numbered forwards in numerical order from the said fourteenth day of *September*, according to the order and succession of days now used in the present calendar, and that all acts, deeds, writings, notes and other instruments of what nature or kind soever, whether ecclesiastical or civil, publick or private, which shall be made, executed or signed, upon or after the said first day of *January* one thousand seven hundred and fifty-two, shall bear date according to the said new method of supputation, and that the two fixed terms of saint *Hilary* and saint *Michael*, in that part of *Great Britain* called *England*, and the courts of great sessions in the counties palatine, and in *Wales*, and also the courts of general quarter-sessions and general sessions of the peace, and all other courts of what nature or kind soever, whether civil, criminal or ecclesiastical, and all meetings and assemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any such officers entering upon the execution of their respective offices, or for any other purpose whatsoever, which by any law, statute, charter, custom or usage within this kingdom, or within any other the dominions or countries subject or belonging to the crown of *Great Britain*, are to be holden and kept on any fixed or certain day of any month, or on any day depending upon the beginning, or any certain day of any month (except such courts as are usually holden or kept with any fairs or marts) shall, from time to time, from and after the said second day of *September*, be holden and kept upon or according to the same respective nominal days and times, whereon or according to which the same are now to be holden, but which shall be computed according to the said new method of numbering and reckoning the days of the calendar as aforesaid; that is to say, eleven days sooner than the respective days whereon the same are now holden and kept; any law, statute, charter, custom or usage, to the contrary thereof in any wise notwithstanding.

II. And for the continuing and preserving the calendar or method of reckoning, and computing the days of the year in the same regular course, as near as may be, in all times coming; be it further enacted by the authority aforesaid, That the several years of our Lord, one thousand eight hundred, one thousand nine hundred, two thousand one hundred, two thousand two hundred, two thousand three hundred, or any other hundredth years of our Lord, which shall happen in time to come, except only every fourth hundredth year of our Lord, whereof the year of our Lord two thousand shall be the first, shall not be esteemed or taken to be bissextile or leap years, but shall be taken to be common years, consisting of three hundred and sixty-five days, and no more; and that the years of our Lord, two thousand, two thousand four hundred, two thousand eight hundred, and every other fourth hundred year of our Lord, from the said year of our Lord two thousand inclusive, and also all other years of our Lord, which by the present supputation are esteemed to be bissextile

bissextile or leap years, shall for the future, and in all times to come, be esteemed and taken to be bissextile or leap years, consisting of three hundred and sixty-six days, in the same sort and manner as is now used with respect to every fourth year of our Lord.

III. And whereas according to the rule prefixed to the book of common prayer of the church of England, Easter-day is always the first Sunday after the first full moon which happens next after the one and twentieth day of March, and if the full moon happens upon a Sunday, Easter-day is the Sunday after; which rule was made in conformity to the decree of the said general council of Nice, for the celebration of the said feast of Easter: and whereas the method of computing the full moons now used in the church of England, and according to which the table to find Easter for ever, prefixed to the said book of common prayer, is formed, is by process of time become considerably erroneous: and whereas a calendar, and also certain tables and rules for the fixing the true time of the celebration of the said feast of Easter, and the finding the times of the full moons on which the same dependeth, so as the same shall agree as nearly as may be with the decree of the said general council, and also with the practice of foreign countries, have been prepared, and are hereunto annexed; be it therefore further enacted by the authority aforesaid, That the said feast of *Easter*, or any of the moveable feasts thereon depending, shall, from and after the said second day of *September*, be no longer kept or observed in that part of *Great Britain* called *England*, or in any other the dominions or countries subject or belonging to the crown of *Great Britain*, according to the said method of supputation now used, or the said table prefixed to the said book of common prayer; and that the said table, and also the column of golden numbers, as they are now prefixed to the respective days of the month in the said calendar, shall be left out in all future editions of the said book of common prayer; and that the said new calendar, tables and rules, hereunto annexed, shall be prefixed to all such future editions of the said book, in the room and stead thereof; and that from and after the said second day of *September*, all and every the fixed feast days, holy-days and fast-days, which are now kept and observed by the church of *England*, and also the several solemn days of thanksgiving, and of fasting and humiliation, which by virtue of any act of parliament now in being, are, from time to time, to be kept and observed, shall be kept and observed on the respective days marked for the celebration of the same in the said new calendar; that is to say, on the same respective nominal days on which the same are now kept and observed; but which according to the alteration by this act intended to be made as aforesaid, will happen eleven days sooner than the same now do; and that the said feast of *Easter*, and all other moveable feasts thereon depending, shall, from time to time, be observed and celebrated according to the said new calendar, tables and rules hereunto annexed, in that part of *Great Britain* called *England*, and in all the dominions and countries aforesaid, wherein the liturgy of the

Easter and the other moveable feasts, to be observed according to the new calendar, tables and rules.

Feasts and fasts &c. to be according to the new calendar.

the church of *England* now is, or hereafter ſhall be uſed, and that the two moveable terms of *Eaſter* and *Trinity*, and all courts of what nature or kind ſoever, and all meetings and aſſemblies of any bodies politick or corporate, and all markets, fairs and marts, and courts thereunto belonging, which by any law, ſtatute, charter, cuſtom or uſage are appointed, uſed or accuſtomed to be holden and kept at any moveable time or times depending upon the time of *Eaſter*, or any other ſuch moveable feaſt as aforeſaid, ſhall, from time to time, from and after the ſaid ſecond day of *September*, be holden and kept on ſuch days and times whereon the ſame ſhall reſpectively happen or fall, according to the happening or falling of the ſaid feaſt of *Eaſter*, or ſuch other moveable feaſts as aforeſaid, to be computed according to the ſaid new calendar, tables and rules.

Courts of ſeſſion and exchequer in Scotland, and markets, fairs and marts to be held upon the ſame natural days.

IV. And be it further enacted by the authority aforeſaid, That the ſeveral meetings of the court of ſeſſion, and terms fixed for the court of *Exchequer* in *Scotland*, the *April* meeting of the governor, bailiffs and commonalty of the company of conſervators of the great level of the fens, and the holding and keeping of all markets, fairs and marts, whether for the ſale of goods or cattle, or for the hiring of ſervants, or for any other purpoſe, which are either fixed to certain nominal days of the month, or depending upon the beginning, or any certain day of any month, and all courts incident or belonging to, or uſually holden or kept with any ſuch fairs or marts, fixed to ſuch certain times as aforeſaid, ſhall not, from and after the ſaid ſecond day of *September*, be continued upon, or according to the nominal days of the month, or the time of the beginning of any month, to be computed according to the ſaid new calendar, but that from and after the ſaid ſecond day of *September*, the ſaid courts of ſeſſion and exchequer, the ſaid *April* meeting, and all ſuch markets, fairs and marts as aforeſaid, and all courts incident or belonging thereto, ſhall be holden and kept upon, or according to the ſame natural days, upon or according to which the ſame ſhould have been ſo kept or holden, in caſe this act had not been made; that is to ſay, eleven days later than the ſame would have happened, according to the nominal days of the ſaid new ſupputation of time, by which the commencement of each month, and the nominal days thereof, are anticipated or brought forward, by the ſpace of eleven days; any thing in this act contained to the contrary thereof in any wiſe notwithstanding.

V. And whereas, according to divers cuſtoms, preſcriptions and uſages, in certain places within this kingdom, certain lands and grounds are, on particular nominal days and times in the year, to be opened for common of paſture, and other purpoſes; and at other times, the owners and occupiers of ſuch lands and grounds have a right to incloſe or ſhut up the ſame, for their own private uſe; and there is, in many other inſtances, a temporary and diſtinct property and right veſted in different perſons, in and to many ſuch lands and grounds, according to certain nominal days and times in the year: and whereas the anticipating or bringing forward the ſaid nominal days and times, by the ſpace

ness of eleven days, according to the said new method of supputation, ought to be attended with many inconveniences; be it therefore further declared, provided and enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to accelerate or anticipate the days or times for the opening, inclosing or shutting up any such lands or grounds as aforesaid, or the days or times on which any such temporary or distinct property or right in or to any such lands or grounds as aforesaid is to commence; but that all such lands and grounds as aforesaid shall, from and after the said second day of September, be, from time to time, respectively opened, inclosed or shut up, and such temporary and distinct property and right in and to such lands and grounds as aforesaid, shall commence and begin upon the same natural days and times on which the same should have been so respectively opened, inclosed or shut up, or would have commenced or begun, in case this act had not been made; that is to say, eleven days later than the same would have happened, according to the said new account and supputation of time, so to begin on the said fourteenth day of September as aforesaid.

The times for opening and inclosing of commons, not altered.

VI. Provided also, and it is hereby further declared and enacted, That nothing in this present act contained shall extend, or be construed to extend, to accelerate or anticipate the time of payment of any rent or rents, annuity or annuities, or sum or sums of money whatsoever, which shall become payable by virtue or in consequence of any custom, usage, lease, deed, writing, bond, note, contract or other agreement whatsoever, now subsisting, or which shall be made, signed, sealed or entered into, at any time before the said fourteenth day of September, or which shall become payable by virtue of any act or acts of parliament now in force, or which shall be made before the said fourteenth day of September, or the time of doing any matter or thing directed or required by any such act or acts of parliament to be done in relation thereto; or to accelerate the payment of, or increase the interest of, any such sum of money which shall become payable as aforesaid; or to accelerate the time of the delivery of any goods, chattels, wares, merchandize or other things whatsoever; or the time of the commencement, expiration or determination of any lease or demise of any lands, tenements or hereditaments or of any other contract or agreement whatsoever; or of the accepting, surrendering or delivering up the possession of any such lands, tenements or hereditaments; or the commencement, expiration or determination of any annuity or rent; or of any grant for any term of years, of what nature or kind soever, by virtue or in consequence of any such deed, writing, contract or agreement; or the time of the attaining the age of one and twenty years, or any other age requisite by any law, custom or usage, deed, will or writing whatsoever, for the doing any act, or for any other purpose whatsoever, by any person or persons now born, or who shall be born before the said fourteenth day of September; or the time of the expiration or

Times of payment of rents, annuities, &c.

or of delivery of goods,

Commencement or expiration of leases, &c.

or of attaining the age of 21 years, &c. not altered.

determination of any apprenticeship, or other service, by virtue of any indenture, or of any articles under seal, or by reason of any simple contract or hiring whatsoever; but that all and every such rent and rents, annuity and annuities, sum and sums of money, and the interest thereof, shall remain and continue to be due and payable; and the delivery of such goods and chattels, wares and merchandize, shall be made; and the said leases and demises of all such lands, tenements and hereditaments, and the said contracts and agreements, shall be deemed to commence, expire and determine; and the said lands, tenements and hereditaments shall be accepted, surrendered and delivered up; and the said rents and annuities, and grants for any term of years, shall commence, cease and determine, at and upon the same respective natural days and times, as the same should and ought to have been payable or made, or would have happened, in case this act had not been made; and that no further or other sum shall be paid or payable for the interest of any sum of money whatsoever, than such interest shall amount unto, for the true number of natural days for which the principal sum bearing such interest shall continue due and unpaid; and that no person or persons whatsoever shall be deemed or taken to have attained the said age of one and twenty years, or any other such age as aforesaid, or to have completed the time of any such service as aforesaid, until the full number of years and days shall be elapsed on which such person or persons respectively would have attained such age, or would have completed the time of such service as aforesaid, in case this act had not been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

The New Calendar, Tables and Rules, mentioned and referred to in the Act for regulating the Commencement of the Year; and for correcting the Calendar now in Use.

The Calendar, with the Table of Lessons.						
JANUARY hath xxxi Days.						
			MORNING PRAYER.		EVENING PRAYER.	
			1 Lesson	2 Lesson	1 Lesson	2 Lesson
1 A	Calendæ	<i>Circumcision.</i>				
2 b	4 Non.		Genesis 1	Matth. 1	Genesis 2	Rom. — 1
3 c	3 Non.		3	2	4	2
4 d	Pr. Non.		5	3	6	3
5 e	Nonæ		7	4	8	4
6 f	8 Id.	<i>Epiphany.</i>				
7 g	7 Id.		9	5	12	5
8 A	6 Id.	Lucian P. & M.	13	6	14	6
9 b	5 Id.		15	7	16	7
10 c	4 Id.		17	8	18	8
11 d	3 Id.		19	9	20	9
12 e	Pr. Id.		21	10	22	10
13 f	Idus.	Hilary, B. & C.	23	11	24	11
14 g	19 C. F ^b		25	12	26	12
15 A	18 Cal.		27	13	28	13
16 b	17 Cal.		29	14	30	14
17 c	16 Cal.		31	15	32	15
18 d	15 Cal.	Prisca, V. & M.	33	16	34	16
19 e	14 Cal.		35	17	37	1 Cor. — 1
20 f	13 Cal.	Fabian B. & M.	38	18	39	2
21 g	12 Cal.	Agnes V. & M.	4	19	41	3
22 A	11 Cal.	Vincent, M. —	42	20	43	4
23 b	10 Cal.		44	21	45	5
24 c	9 Cal.		46	22	47	6
25 d	8 Cal.	<i>Conversion of</i>				
26 e	7 Cal.	(S. Paul.	48	23	49	7
27 f	6 Cal.		50	24	Exodus 1	8
28 g	5 Cal.		Exodus 2	25	3	9
29 A	4 Cal.		4	26	5	10
30 b	3 Cal.	K. Charles Mar	† 6	27	7	11
31 c	Pr. Cal.		8	28	9	12

Note, that * Exodus 6, is to be read only to ver. 14.

The Calendar, with the Table of Lessons.

FEBRUARY hath xxviii Days;
And in every Leap-year xxix Days.

				MORNING PRAYER.	EVENING PRAYER.
				1 Lesson	2 Lesson
1 d	Calendar	Fast.	Exod. 10	Mark - 1	Exod. 11
2 e	4 Non.	<i>Purif. of V. Mary</i>		2	1 Cor. 13
3 f	3 Non.	Blasius, B. & M.	12	3	14
4 g	Pr. Non.		14	4	15
5 A	Nonæ	Agatha, V. & M.	16	5	16
6 b	8 Id.		18	6	2 Cor. - 1
7 c	7 Id.		20	7	2
8 d	6 Id.		22	8	3
9 e	5 Id.		24	9	4
10 f	4 Id.		33	10	5
11 g	3 Id.		Lev. - 18	11	6
12 A	Pr. Id.		20	12	7
13 b	Idus.		Num. 11	13	8
14 c	16 C. M.	Valentine, B.	13	14	9
15 d	15 Cal.		16	15	10
16 e	14 Cal.		20	16	11
17 f	13 Cal.		22	17	12
18 g	12 Cal.		24	18	13
19 A	11 Cal.		27	19	14
20 b	10 Cal.		31	20	15
21 c	9 Cal.		35	21	16
22 d	8 Cal.		Deut. - 1	22	17
23 e	7 Cal.	Fast.	3	23	18
24 f	6 Cal.	S. Matthias.		24	19
25 g	5 Cal.		5	25	20
26 A	4 Cal.		7	26	21
27 b	3 Cal.		9	27	22
28 c	Pr. Cal.		11	28	23
29			13	29	24

MARCH

The Calendar, with the Table of Leſſons.

MARCH hath xxxi Days.

			MORNING PRAYER.		EVENING PRAYER.		
			1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	d	Calendæ	David, A.Bp.	Deut. 15	Luke-12	Deut. 16	Ephes. 6
2	e	6 Non.	Chad, Bp.	17	13	18	Philip. 1
3	f	5 Non.		19	14	20	2
4	g	4 Non.		21	15	22	3
5	A	3 Non.		24	16	25	4
6	b	Pr. Non.		26	17	27	Coloſſ. 1
7	c	Nonæ	Perpetua, M.	28	18	29	2
8	d	8 Id.		30	19	31	3
9	e	7 Id.		32	20	33	4
10	f	6 Id.		34	21	Joſhua 1	1 Theſ. 1
11	g	5 Id.		Joſhua 2	22	3	2
12	A	4 Id.	Gregory M.B.	4	23	5	3
13	b	3 Id.		6	24	7	4
14	c	Pr. Id.		8 John	1	9	5
15	d	Idus.		10	2	23	2 Theſ. 1
16	e	17 C. Ap.		24	3	Judges 1	2
17	f	16 Cal.		Judges 2	4	3	3
18	g	15 Cal.	Ed.K.W. Sax.	4	5	5	1 Tim. 1
19	A	14 Cal.		6	6	7	2, 3
20	b	13 Cal.		8	7	9	4
14	21	c 12 Cal.	Benedict, Abb.	10	8	11	5
3	22	d 11 Cal.		12	9	13	6
23	e	10 Cal.		14	10	15	2 Tim. 1
11	24	f 9 Cal.	— Faſt.	16	11	17	2
25	g	8 Cal.	Annunciation of		12		3
19	26	A 7 Cal.	— (V. Mary.	18	13	19	4
8	27	b 6 Cal.		20	14	21	Titus — 1
28	c	5 Cal.		Ruth — 1	15	Ruth — 2	2, 3
16	29	d 4 Cal.		3	16	4	Philem.
5	30	e 3 Cal.		1 Sam. 1	17	1 Sam. 2	Hebr. — 1
31	f	Pr. Cal.		3	18	4	2

The Numbers here prefixed to the ſeveral Days, between the Twenty-ſiſt Day of March, and the Eighteenth Day of April, both inclusive; denote the Days upon which thoſe Full Moons do fall, which happen upon or next after the Twenty-ſiſt Day of March, in theſe Years, of which they are reſpectively the Golden Numbers; and the Sunday-Letter next following any ſuch Full Moon.

The Calendar, with the Table of Lessons.

APRIL hath xxx Days.

				MORNING PRAYER.	EVENING PRAYER.		
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
13	1	g	Calendar	1 Sam. 5	John-19	1 Sam. 6	Hebr.-3
2	2	A	4 Non.	7	20	8	4
	3	b	3 Non.	9	21	10	5
10	4	c	Pr. Non.	11	Acts-1	12	6
	5	d	Nonæ	13	2	14	7
18	6	e	8 Id.	15	3	16	8
7	7	f	7 Id.	17	4	18	9
	8	g	6 Id.	19	5	20	10
15	9	A	5 Id.	21	6	22	11
4	10	b	4 Id.	23	7	24	12
	11	c	3 Id.	25	8	26	13
12	12	d	Pr. Id.	27	9	28	James-1
1	13	e	Idus.	29	10	30	2
	14	f	18C.M ^{ai}	31	11	2 Sam. 1	3
9	15	g	17 Cal.	2 Sam. 2	12	3	4
	16	A	16 Cal.	4	13	5	5
17	17	b	15 Cal.	6	14	7	1 Peter 1
6	18	c	14 Cal.	8	15	9	2
	19	d	13 Cal.	10	16	11	3
	20	e	12 Cal.	12	17	13	4
	21	f	11 Cal.	14	18	15	5
	22	g	10 Cal.	16	19	17	2 Peter 1
	23	A	9 Cal.	18	20	19	2
	24	b	8 Cal.	20	21	21	3
	25	c	7 Cal.	S. Mark Evan.	22		1 John 1
	26	d	6 Cal.		22	23	2
	27	e	5 Cal.		24	24	1 Kings 1
	28	f	4 Cal.	1 Kings 2	25	3	4
	29	g	3 Cal.	4	26	5	5
	30	A	Pr. Cal.	6	27	7	2, 3 John

Moon, points out *Easter-day* for that Year. All which holds until the Year of our Lord 1809 inclusive: after which Year, the Places of these Golden Numbers will be to be changed, as is here after expressed.

MAY

The Calendar, with the Table of Leſſons.

MAY hath xxxi Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	b	Calendæ	<i>S. Philip & James</i>				Jude —
2	c	6 Non.		1 Kings 8	Acts—28	1 Kings 9	Rom.—1
3	d	5 Non.	Inv. of the Croſs.	—10	Matth. 1	—11	—2
4	e	4 Non.		—12	—2	—13	—3
5	f	3 Non.		—14	—3	—15	—4
6	g	Pr. Non.	John Port. Lat.	—16	—4	—17	—5
7	A	Nonæ		—18	—5	—19	—6
8	b	8 Id.		—20	—6	—21	—7
9	c	7 Id.		—22	—7	2 Kings 1	—8
10	d	6 Id.		2 Kings 2	—8	—3	—9
11	e	5 Id.		—4	—9	—5	—10
12	f	4 Id.		—6	—10	—7	—11
13	g	3 Id.		—8	—11	—9	—12
14	A	Pr. Id.		—10	—12	—11	—13
15	b	Idus.		—12	—13	—13	—14
16	c	17 C. Jun.		—14	—14	—15	—15
17	d	16 Cal.		—16	—15	—17	—16
18	e	15 Cal.		—18	—16	—19	1 Cor.—1
19	f	14 Cal.	Dunſtan, A. B.	—20	—17	—21	—2
20	g	13 Cal.		—22	—18	—23	—3
21	A	12 Cal.		—24	—19	—25	—4
22	b	11 Cal.		Ezra — 1	—20	Ezra — 3	—5
23	c	10 Cal.		—4	—21	—5	—6
24	d	9 Cal.		—6	—22	—7	—7
25	e	8 Cal.		—9	—23	Neh. — 1	—8
26	f	7 Cal.	Auguſtin, A. B.	Neh. — 2	—24	—4	—9
27	g	6 Cal.	Ven. Bede, Pr.	—5	—25	—6	—10
28	A	5 Cal.		—8	—26	—9	—11
29	b	4 Cal.	K. Charles I. N.	—10	—27	—13	—12
30	c	3 Cal.	— (& R.	Eſther—1	—28	Eſther—2	—13
31	d	Pr. Cal.		—3	Mark—1	—4	—14

The Calendar, with the Table of Lessons.

JUNE hath xxx Days.

				MORNING PRAYER.	EVENING PRAYER.
				1 Lesson	2 Lesson
1	e	Calendar	Nicomede, M.	1 Lesson Esther—5	1 Lesson Mark—2
2	f	4 Non.		7	3
3	g	3 Non.		9	4
4	A	Pr. Non.		Job—2	Job—4
5	b	Nonæ	Boniface, B.M.	4	5
6	c	8 Id.		6	6
7	d	7 Id.		8	7
8	e	6 Id.		10	9
9	f	5 Id.		12	10
10	g	4 Id.		14	11
11	A	3 Id.	S. Barnabas, Ap.		15
12	b	Pr. Id.		16	12—17, 18
13	c	Idus.		19	13—20
14	d	18 C. Jul		21	14—22
15	e	17 Cal.		23	15—24, 25
16	f	16 Cal.		26, 27	16—28
17	g	15 Cal.	S. Alban, M.	29	17—30
18	A	14 Cal.		31	18—32
19	b	13 Cal.		33	19—34
20	c	12 Cal.	Tr. of K. Edw.	35	20—36
21	d	11 Cal.		37	21—38
22	e	10 Cal.		39	22—40
23	f	9 Cal.	— Fast.	41	23—42
24	g	8 Cal.	S. John Baptist.		Ephef.—1
25	A	7 Cal.		Prov.—1	8
26	b	6 Cal.		3	9
27	c	5 Cal.		5	10
28	d	4 Cal.	— Fast.	7	11
29	e	3 Cal.	S. Peter, Apost.		8
30	f	Pr. Cal.		9	12—10

JULY

The Calendar, with the Table of Lessons.

JULY hath xxxi Days.

			MORNING PRAYER.	EVENING PRAYER.			
			1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	g	Calendar	Prov. 11	Luke 13	Prov. 12	Philip. 1	
2	A	6 Non.	Visitat. of V. M.	13	14		2
3	b	5 Non.		15	15		3
4	c	4 Non.	Tr. of Mart. B.	17	16	18	4
5	d	3 Non.		19	17	20	Coloff. 1
6	e	Pr. Non.		21	18	22	2
7	f	Nonæ		23	19	24	3
8	g	8 Id.		25	20	26	4
9	A	7 Id.		27	21	28	1 Thes. 1
10	b	6 Id.		29	22	31	2
11	c	5 Id.	Ecclef. 1	23	Ecclef. 2		3
12	d	4 Id.		3	24	4	4
13	e	3 Id.		5	John - 1	6	5
14	f	Pr. Id.		7	2	8	2 Thes. 1
15	g	Idus.	Swithun, B. Tr.	9	3	10	2
16	A	17 C. A ^{us}		11	4	12	3
17	b	16 Cal.	Jer. - 1	5	Jer. - 2	1 Tim. 1	
18	c	15 Cal.		3	6	4	2, 3
19	d	14 Cal.		5	7	6	4
20	e	13 Cal.	Marg. V. & M.	7	8	8	5
21	f	12 Cal.		9	9	10	6
22	g	11 Cal.	S. Mary Magd.	11	10	12	2 Tim. 1
23	A	10 Cal.		13	11	14	2
24	b	9 Cal.	Fast.	15	12	16	3
25	c	8 Cal.	S. James, Apost.		13		4
26	d	7 Cal.	S. Anne.	17	14	18	Titus - 1
27	e	6 Cal.		19	15	20	2, 3
28	f	5 Cal.		21	16	22	Philem.
29	g	4 Cal.		23	17	24	Hebr. - 1
30	A	3 Cal.		25	18	26	2
31	b	Pr. Cal.		27	19	28	3

The Calendar, with the Table of Leffons.

AUGUST hath xxxi Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Leffon	2 Leffon	1 Leffon	2 Leffon
1	c	Calendæ	Lammas-day.	Jer.—29	John—20	Jer.—30	Hebr.—4
2	d	4 Non.		31	21	32	5
3	e	3 Non.		33	Acts—1	34	6
4	f	Pr. Non.		35	2	36	7
5	g	Nonæ		37	3	38	8
6	A	8 Id.	Transfiguration	39	4	40	9
7	b	7 Id.	Name of Jefus.	41	5	42	10
8	c	6 Id.		43	6	44	11
9	d	5 Id.		45, 46	7	47	12
10	e	4 Id.	S. Laurence, M.	48	8	49	13
11	f	3 Id.		50	9	51	James—1
12	g	Pr. Id.		52	10	Lam.—1	2
13	A	Idus.		Lam.—2	11	3	3
14	b	19 C. Sept		4	12	5	4
15	c	18 Cal.		Ezek.—2	13	Ezek.—3	5
16	d	17 Cal.		6	14	7	1 Peter 1
17	e	16 Cal.		13	15	14	2
18	f	15 Cal.		18	16	33	3
19	g	14 Cal.		34	17	Daniel—1	4
20	A	13 Cal.		Daniel—2	18	3	5
21	b	12 Cal.		4	19	5	2 Peter 1
22	c	11 Cal.		6	20	7	2
23	d	10 Cal.	— Faft.	8	21	9	3
24	e	9 Cal.	S. Bartholomew.		22		1 John 1
25	f	8 Cal.		10	23	11	2
26	g	7 Cal.		12	24	Hofea—1	3
27	A	6 Cal.		Hof. 2, 3	25	4	4
28	b	5 Cal.	S. Auguftin, B.	5, 6	26	7	5
29	c	4 Cal.	S. John behead.	8	27	9	2, 3 John
30	d	3 Cal.	(ed.	10	28	11	Jude—
31	e	Pr. Cal.		12	Matth. 1	13	Rom.—1

The Calendar, with the Table of Lessons.

SEPTEMBER hath xxx Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	f	Calendæ	Giles, Abb. & C.	Hosea 14	Matth. 2	Joel —	Rom. 2
2	g	4 Non.		Joel — 2	3	3	3
3	A	3 Non.		Amos — 1	4	Amos — 2	4
4	b	Pr. Non.		3	5	4	5
5	c	Nonæ		5	6	6	6
6	d	8 Id.		7	7	8	7
7	e	7 Id.	Enurchus, B.	9	8	Obadiah	8
8	f	6 Id.	Nat. of V. Mary	Jonah — 1	9	Jon. 2, 3	9
9	g	5 Id.		4	10	Micah 1	10
10	A	4 Id.		Micah 2	11	3	11
11	b	3 Id.		4	12	5	12
12	c	Pr. Id.		6	13	7	13
13	d	Idus.		Nahum 1	14	Nahum 2	14
14	e	18 C. Oct.	Holy Crofs Day	3	15	Hab. — 1	15
15	f	17 Cal.		Hab. — 2	16	3	16
16	g	16 Cal.		Zeph. — 1	17	Zeph. — 2	1 Cor. 1
17	A	15 Cal.	Lambert, B.M.	3	18	Haggai 1	2
18	b	14 Cal.		Haggai 2	19	Zech. 1	3
19	c	13 Cal.		Zec. 2, 3	20	4, 5	4
20	d	12 Cal.	— Fast.	6	21	7	5
21	e	11 Cal.	S. Matthew, Ap.		22		6
22	f	10 Cal.		8	23	9	7
23	g	9 Cal.		10	24	11	8
24	A	8 Cal.		12	25	13	9
25	b	7 Cal.		14	26	Malachi 1	10
26	c	6 Cal.	S. Cyprian, M.	Malachi 2	27	3	11
27	d	5 Cal.		4	28	Tobit 1	12
28	e	4 Cal.		Tobit 2	Mark 1	3	13
29	f	3 Cal.	S. Michael.		2		14
30	g	Pr. Cal.	S. Jerom, C.D.	4	3	6	15

OCTOBER

The Calendar, with the Table of Lessons.

OCTOBER hath xxxi Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	A	Calendar	Remigius, Bp.	Tob. - 7	Mark - 4	Tob. - 8	1 Cor. 16
2	b	6 Non.		9	5	10	2 Cor. - 1
3	c	5 Non.		11	6	12	2
4	d	4 Non.		13	7	14	3
5	e	3 Non.		Judith 1	8	Judith 2	4
6	f	Pr. Non.	Faith, V. & M.	3	9	4	5
7	g	Nonæ		5	10	6	6
8	A	8 Id.		7	11	8	7
9	b	7 Id.	S. Denys, B. M.	9	12	10	8
10	c	6 Id.		11	13	12	9
11	d	5 Id.		13	14	14	10
12	e	4 Id.		15	15	16	11
13	f	3 Id.	Tr. of K. Edw.	Wisd. 1	16	Wisd. 2	12
14	g	Pr. Id.		3	Lu. 1. to 39	4	13
15	A	Idus.		5	1. ver. 39	6	Gal. - 1
16	b	17 C. Nov		7	2	8	2
17	c	16 Cal.	Etheldreda, V.	9	3	10	3
18	d	15 Cal.	S. Luke, Evang.		4		4
19	e	14 Cal.		11	5	12	5
20	f	13 Cal.		13	6	14	6
21	g	12 Cal.		15	7	16	Ephes. 1
22	A	11 Cal.		17	8	18	2
23	b	10 Cal.		19	9	Ecclesiast 1	3
24	c	9 Cal.		Ecclesiast 2	10	3	4
25	d	8 Cal.	Crispin, Mart.	4	11	5	5
26	e	7 Cal.		6	12	7	6
27	f	6 Cal.	Fast.	8	13	9	Philip. 1
28	g	5 Cal.	S. Simon & Jude.		14		2
29	A	4 Cal.		10	15	11	3
30	b	3 Cal.		12	16	13	4
31	c	Pr. Cal.	Fast.	14	17	15	Coloff. 1

NOV.

The Calendar, with the Table of Lessons.

NOVEMBER hath xxx Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1 d	Calendæ	<i>All Saints Day.</i>					
2 e	4 Non.			Eccl ^{us} 16	Luke—18	Eccl ^{us} 17	Coloss. 2
3 f	3 Non.			—18	—19	—19	—3
4 g	Pr. Non.			—20	—20	—21	—4
5 A	Nonæ	<i>Papists Conspir.</i>		—22	—21	—23	1 Thes. 1
6 b	8 Id.	Leonard, C.		—24	—22	* 25	—2
7 c	7 Id.			—27	—23	—28	—3
8 d	6 Id.			—29	—24	† 30	—4
9 e	5 Id.			—31	John—1	—32	—5
10 f	4 Id.			—33	—2	—34	2 Thes. 1
11 g	3 Id.	S. Martin, B.		—35	—3	—36	—2
12 A	Pr. Id.			—37	—4	—38	—3
13 b	Idus.	Britius, B.		—39	—5	—40	1 Tim. 1
14 c	18 C. Dec			—41	—6	—42	—2, 3
15 d	17 Cal.	Machutus, B.		—43	—7	—44	—4
16 e	16 Cal.			—45	—8	46	—5
17 f	15 Cal.	Hugh, B. Linc.		—47	—9	—48	—6
18 g	14 Cal.			—49	—10	—50	2 Tim. 1
19 A	13 Cal.			—51	—11	Baruch 1	—2
20 b	12 Cal.	Edm. K. & M.	Baruch 2	—12	—	—3	—3
21 c	11 Cal.		—4	—13	—	—5	—4
22 d	10 Cal.	Cecilia, V. & M.	—6	—14	—	Hift. Su. Titus—1	—
23 e	9 Cal.	S. Clement, B.	Bel & D.	—15	—	Isaiah—1	—2, 3
24 f	8 Cal.		Isaiah—2	—16	—	—3	Philem.
25 g	7 Cal.	Catherine, V.	—4	—17	—	—5	Hebr.—1
26 A	6 Cal.		—6	—18	—	—7	—2
27 b	5 Cal.		—8	—19	—	—9	—3
28 c	4 Cal.		—10	—20	—	—11	—4
29 d	3 Cal.	—Fast.	—12	—21	—	—13	—5
30 e	Pr. Cal.	S. Andrew, Ap.	—	Acts—1	—	—	—6

Note, that * Eccl^{us} 25. is to be read only to ver. 13. and † Eccl^{us} 30. only to ver. 18. and || Eccl^{us} 46. only to ver. 20.

The Calendar, with the Table of Leffons.							
DECEMBER hath xxxi Days.							
				MORNING PRAYER.		EVENING PRAYER.	
				1 Leffon	2 Leffon	1 Leffon	2 Leffon
1	f	Calendar		1	2	1	2
2	g	4 Non.		14	15	15	16
3	A	3 Non.		16	17	17	18
4	b	Pr. Non.		18	19	19	20
5	c	Nonæ		20, 21	21	22	23
6	d	8 Id.	Nicolas, Bp.	23	24	24	25
7	e	7 Id.		25	26	26	27
8	f	6 Id.	Concep. of Virg.	27	28	28	29
9	g	5 Id.	(Mary.	29	30	30	31
10	A	4 Id.		31	1	32	2
11	b	3 Id.		33	2	34	3
12	c	Pr. Id.		35	3	36	4
13	d	Idus.	Lucy, V. & M.	37	4	38	5
14	e	19 C. Jan.		39	5	40	6
15	f	18 Cal.		41	6	42	7
16	g	17 Cal.	O Sapientia.	43	7	44	8
17	A	16 Cal.		45	8	46	9
18	b	15 Cal.		47	9	48	10
19	c	14 Cal.		49	10	50	11
20	d	13 Cal.	Fast.	51	11	52	12
21	e	12 Cal.	S. Thomas, Ap.	53	12	54	13
22	f	11 Cal.			13		14
23	g	10 Cal.		55	14	56	15
24	A	9 Cal.	Fast.	57	15	58	16
25	b	8 Cal.	Christmas-Day.	59	16	60	17
26	c	7 Cal.	S. Stephen, Mart.		17		18
27	d	6 Cal.	S. John, Evang.		18		19
28	e	5 Cal.	Innocents-Day.		19		20
29	f	4 Cal.		25	20		21
30	g	3 Cal.		61	21	62	22
31	A	Pr. Cal.	Silvester, B.	63	22	64	23
				65	23	66	24

TABLES and RULES for the Moveable and Immoveable FEASTS; together with the Days of Faſting and Abſtinence, through the whole Year.

Rules to know when the Moveable Feaſts and Holy-days begin.

E After-day (on which the reſt depend) is always the *Fiſt Sunday after the Full Moon*, which happens upon, or next after the *Twenty-fiſt Day of March*. And if the *Full Moon* happens upon a *Sunday*, *Eaſter-day* is the *Sunday after*.

Advent-Sunday is always the neareſt *Sunday* to the Feaſt of *St. Andrew*, whether before or after.

<i>Septuageſima</i> <i>Sexageſima</i> <i>Quinquageſima</i> <i>Quadrageſima</i>	} Sunday is {	<i>Nine</i> <i>Eight</i> <i>Seven</i> <i>Six</i>	} Weeks before <i>Eaſter</i> .
<i>Rogation Sunday</i> <i>Aſcenſion-Day</i> <i>Whitſunday</i> <i>Trinity Sunday</i>	} is {	<i>Five Weeks</i> <i>Forty Days</i> <i>Seven Weeks</i> <i>Eight Weeks</i>	} after <i>Eaſter</i> .

A Table of all the **FEASTS** that are to be obſerved in the Church of *England* throughout the Year.

All Sundays in the Year.

The Days of the Feaſts of
 { The Circumciſion of our Lord
JESUS CHRIST.
 The Epiphany.
 The Converſion of *S. Paul*.
 The Purification of the Bleſſed Virgin.
S. Matthias the Apoſtle.
 The Annunciation of the Bleſſed Virgin.
S. Mark the Evangeliſt.
S. Phil. and *S. Jam.* the Apoſtles.
 The Aſcenſion of our Lord
JESUS CHRIST.
S. Barnabas.

The Days of the Feaſts of
 { The Nativity of *S. John Baptiſt*.
S. Peter the Apoſtle.
S. James the Apoſtle.
S. Bartholomew the Apoſtle.
S. Matthew the Apoſtle.
S. Michael, and all Angels.
S. Luke the Evangeliſt.
S. Simon and *S. Jude* the Apoſtles.
 All Saints.
S. Andrew the Apoſtle.
S. Thomas the Apoſtle.
 The Nativity of our Lord.
S. Stephen the Martyr.
S. John the Evangeliſt.
 The Holy Innocents.

Monday and Tueſday in *Eaſter-Week*.

Mond. and Tueſd. in *Whitſun-Week*.

A Table of the **VIGILS, FASTS, and Days of Abſtinence**, to be obſerved in the Year.

The Evens or Vigils before {	{ The Nativity of our Lord. The Purification of the Bleſſed Virgin <i>Mary</i> . The Annunciation of the Bleſſed Virgin. <i>Eaſter-Day.</i> (ſed Virgin. <i>Aſcenſion-Day.</i> <i>Pentecoſt.</i> <i>S. Matthias</i> .	The Evens or Vigils before {	{ <i>S. John Baptiſt</i> . <i>S. Peter</i> . <i>S. James</i> . <i>S. Bartholomew</i> . <i>S. Matthew</i> . <i>S. Sim.</i> and <i>S. Jude</i> . <i>S. Andrew</i> . <i>S. Thom.</i> All Saints.
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Note, That if any of theſe Feaſt-days fall upon a *Monday*, then the *Vigil* or *Faſt-day* ſhall be kept upon the *Saturday*, and not upon the *Sunday* next before it.

Days of Fasting or Abſtinence.

- I. The Forty days of Lent. { 1. The First Sunday in Lent.
 II. The Ember-days at the Four Seasons, being { 2. The Feast of Pentecoſt.
 the Wednesday, Friday, and Saturday after { 3. September 14.
 { 4. December 13.
 III. The three Rogation-days, being the Monday, Tuesday, and Wednesday
 before Holy Thursday, or the Aſcenſion of our LORD.
 IV. All the Fridays in the Year, except Chriſtmas-Day.

Certain Solemn Days, for which particular Services are appointed.

- I. The Fifth Day of November, being the Day kept in Memory of the
 Papiſts Conſpiracy.
 II. The Thirtieth Day of January, being the Day kept in Memory of the
 Martyrdom of King Charles I.
 III. The Twenty-ninth Day of May, being the Day kept in Memory of
 the Birth and Return of King Charles II.

A TABLE to find EASTER-DAY from the preſent Time,
 till the Year 1899 inclusive, according to the foregoing Calendar.

Golden Number.	Day of the Month.	Sunday Letter.
14	March 21	C
3	22	D
	23	E
11	24	F
	25	G
10	26	A
8	27	B
	28	C
16	29	D
5	30	E
	31	F
13	April 1	G
2	2	A
	3	B
10	4	C
	5	D
18	6	E
7	7	F
	8	G
15	9	A
4	10	B
	11	C
12	12	D
1	13	E
	14	F
9	15	G
	16	A
17	17	B
6	18	C
	19	D
	20	E
	21	F
	22	G
	23	A
	24	B
	25	C

THIS Table contains ſo much of the Calen-
 dar as is neceſſary for the determining of
 Eaſter; to find which, look for the Golden
 Number of the Year in the Firſt Column of
 the Table, againſt which ſtands the Day of
 the Paſchal Full Moon; then look in the Third
 Column for the Sunday-Letter, next after the
 Day of the Full Moon, and the Day of the
 Month ſtanding againſt that Sunday-Letter is
 Eaſter-day. If the Full Moon happens upon a
 Sunday, then (according to the firſt Rule) the
 next Sunday after is Eaſter-day.

To find the Golden Number, or Prime, add
 one to the Year of our Lord, and then divide
 by 19; the Remainder, if any, is the Golden
 Number; but if nothing remaineth, then 19
 is the Golden Number.

To find the Dominical or Sunday-Letter, ac-
 cording to the Calendar, until the Year
 1799 inclusive, add to the Year of our
 Lord its Fourth Part, omitting Fracti-
 ons, and alſo the number 11 Divide the
 Sum by 7; and if there is no Remaind-
 er, then A is the Sunday-Letter: But
 if any Number remaineth, then the
 Letter ſtanding againſt that Number
 in the ſmall annexed Table, is the
 Sunday-Letter.

0	A
1	G
2	F
3	E
4	D
5	C
6	B

For the next Century, that is, from the Year
 1800 till the Year 1899 inclusive, add to the
 current Year only its Fourth Part, and then
 divide by 7, and proceed as in the laſt Rule.

Note, That in all Biſſextile or Leap-Years,
 the Letter found, as above, will be the Sunday-
 Letter from the intercalated Day excluſive, to
 the End of the Year.

Another

Another TABLE to find EASTER
till the Year 1899 inclusive.

Golden Number.	SUNDAY-LETTERS.						
	A	B	C	D	E	F	G
I	April 16	—17—	—18—	19	—20—	—14—	—15—
II	April 9	—3—	—4—	5	—6—	—7—	—8—
III	Mar. 26	—27—	—28—	29	—23—	—24—	—25—
IV	April 16	—17—	—11—	12	—13—	—14—	—15—
V	April 2	—3—	—4—	5	—6—	Mar. 31	April 1
VI	April 23	—24—	—25—	19	—20—	—21—	—22—
VII	April 9	—10—	—11—	12	—13—	—14—	—8—
VIII	April 2	—3—	Mar. 28	29	—30—	—31—	April 1
IX	April 16	—17—	—18—	19	—20—	—21—	—22—
X	April 9	—10—	—11—	5	—6—	—7—	—8—
XI	Mar. 26	—27—	—28—	29	—30—	—31—	—25—
XII	April 16	—17—	—18—	19	—13—	—14—	—15—
XIII	April 2	—3—	—4—	5	—6—	—7—	—8—
XIV	Mar. 26	—27—	—28—	22	—23—	—24—	—25—
XV	April 16	—10—	—11—	12	—13—	—14—	—15—
XVI	April 2	—3—	—4—	5	Mar. 30	—31—	April 1
XVII	April 23	—24—	—18—	19	—20—	—21—	—22—
XVIII	April 9	—10—	—11—	12	—13—	—7—	—8—
XIX	April 2	Mar. 27	—28—	29	—30—	—31—	April 1

TO make use of the preceding Table, find the Sunday-Letter for the Year in the Uppermost Line, and the Golden Number, or Prime, in the Column of Golden Numbers, and against the Prime, in the same Line under the Sunday-Letter, you have the Day of the Month on which *Easter* falleth that Year. But Note, That the Name of the Month is set on the Left Hand, or just with the Figure, and followeth not, as in other Tables, by Decent, but Collateral.

A TABLE of the MOVEABLE FEASTS for Fifty-two Years,
according to the foregoing Calendar.

Advent Sunday.	Sund. aft. Trin.	Whit-Sunday.	Ascension-Day.	Regation Sunday.	Easter-Day.	The First Day of Lent.	Septuagesima Sunday.	Sund. after Epiph.	Sunday-Letter.	The Feast.	Golden Number.	The Year of our Lord.
1752	Dec. 3	June 23	May 31	May 27	Apr. 22	Mar. 7	Feb. 18	6	G	Feb. 18	1752	1752
1753	Nov. 1	June 24	May 21	May 19	Apr. 14	Feb. 27	Feb. 10	4	F	Feb. 10	1753	1753
1754	Nov. 20	June 25	May 18	May 16	Apr. 13	Feb. 26	Jan. 12	3	E	Jan. 12	1754	1754
1755	Nov. 28	June 26	May 17	May 15	Apr. 12	Feb. 25	Jan. 11	2	D	Jan. 11	1755	1755
1756	Dec. 5	June 27	May 16	May 14	Apr. 11	Feb. 24	Jan. 10	1	C	Jan. 10	1756	1756
1757	Dec. 12	June 28	May 15	May 13	Apr. 10	Feb. 23	Jan. 9	30	B	Jan. 9	1757	1757
1758	Dec. 19	June 29	May 14	May 12	Apr. 9	Feb. 22	Jan. 8	29	A	Jan. 8	1758	1758
1759	Nov. 26	June 30	May 13	May 11	Apr. 8	Feb. 21	Jan. 7	28	G	Jan. 7	1759	1759
1760	Nov. 3	July 1	May 12	May 10	Apr. 7	Feb. 20	Jan. 6	27	F	Jan. 6	1760	1760
1761	Nov. 10	July 2	May 11	May 9	Apr. 6	Feb. 19	Jan. 5	26	E	Jan. 5	1761	1761
1762	Nov. 17	July 3	May 10	May 8	Apr. 5	Feb. 18	Jan. 4	25	D	Jan. 4	1762	1762
1763	Nov. 24	July 4	May 9	May 7	Apr. 4	Feb. 17	Jan. 3	24	C	Jan. 3	1763	1763
1764	Dec. 1	July 5	May 8	May 6	Apr. 3	Feb. 16	Jan. 2	23	B	Jan. 2	1764	1764
1765	Dec. 8	July 6	May 7	May 5	Apr. 2	Feb. 15	Jan. 1	22	A	Jan. 1	1765	1765
1766	Dec. 15	July 7	May 6	May 4	Apr. 1	Feb. 14	Dec. 31	21	G	Dec. 31	1766	1766
1767	Dec. 22	July 8	May 5	May 3	Apr. 30	Feb. 13	Dec. 30	20	F	Dec. 30	1767	1767
1768	Dec. 29	July 9	May 4	May 2	Apr. 29	Feb. 12	Dec. 29	19	E	Dec. 29	1768	1768
1769	Jan. 5	July 10	May 3	May 1	Apr. 28	Feb. 11	Dec. 28	18	D	Dec. 28	1769	1769
1770	Jan. 12	July 11	May 2	May 30	Apr. 27	Feb. 10	Dec. 27	17	C	Dec. 27	1770	1770
1771	Jan. 19	July 12	May 1	May 29	Apr. 26	Feb. 9	Dec. 26	16	B	Dec. 26	1771	1771
1772	Jan. 26	July 13	May 30	May 28	Apr. 25	Feb. 8	Dec. 25	15	A	Dec. 25	1772	1772
1773	Jan. 3	July 14	May 31	May 27	Apr. 24	Feb. 7	Dec. 24	14	G	Dec. 24	1773	1773
1774	Jan. 10	July 15	June 1	May 26	Apr. 23	Feb. 6	Dec. 23	13	F	Dec. 23	1774	1774
1775	Jan. 17	July 16	June 2	May 25	Apr. 22	Feb. 5	Dec. 22	12	E	Dec. 22	1775	1775
1776	Jan. 24	July 17	June 3	May 24	Apr. 21	Feb. 4	Dec. 21	11	D	Dec. 21	1776	1776
1777	Jan. 31	July 18	June 4	May 23	Apr. 20	Feb. 3	Dec. 20	10	C	Dec. 20	1777	1777
1778	Feb. 7	July 19	June 5	May 22	Apr. 19	Feb. 2	Dec. 19	9	B	Dec. 19	1778	1778
1779	Feb. 14	July 20	June 6	May 21	Apr. 18	Feb. 1	Dec. 18	8	A	Dec. 18	1779	1779
1780	Feb. 21	July 21	June 7	May 20	Apr. 17	Jan. 31	Dec. 17	7	G	Dec. 17	1780	1780
1781	Feb. 28	July 22	June 8	May 19	Apr. 16	Jan. 30	Dec. 16	6	F	Dec. 16	1781	1781
1782	Mar. 6	July 23	June 9	May 18	Apr. 15	Jan. 29	Dec. 15	5	E	Dec. 15	1782	1782
1783	Mar. 13	July 24	June 10	May 17	Apr. 14	Jan. 28	Dec. 14	4	D	Dec. 14	1783	1783
1784	Mar. 20	July 25	June 11	May 16	Apr. 13	Jan. 27	Dec. 13	3	C	Dec. 13	1784	1784
1785	Mar. 27	July 26	June 12	May 15	Apr. 12	Jan. 26	Dec. 12	2	B	Dec. 12	1785	1785
1786	Apr. 3	July 27	June 13	May 14	Apr. 11	Jan. 25	Dec. 11	1	A	Dec. 11	1786	1786
1787	Apr. 10	July 28	June 14	May 13	Apr. 10	Jan. 24	Dec. 10	30	G	Dec. 10	1787	1787
1788	Apr. 17	July 29	June 15	May 12	Apr. 9	Jan. 23	Dec. 9	29	F	Dec. 9	1788	1788
1789	Apr. 24	July 30	June 16	May 11	Apr. 8	Jan. 22	Dec. 8	28	E	Dec. 8	1789	1789
1790	May 1	Aug. 1	June 17	May 10	Apr. 7	Jan. 21	Dec. 7	27	D	Dec. 7	1790	1790
1791	May 8	Aug. 2	June 18	May 9	Apr. 6	Jan. 20	Dec. 6	26	C	Dec. 6	1791	1791
1792	May 15	Aug. 3	June 19	May 8	Apr. 5	Jan. 19	Dec. 5	25	B	Dec. 5	1792	1792
1793	May 22	Aug. 4	June 20	May 7	Apr. 4	Jan. 18	Dec. 4	24	A	Dec. 4	1793	1793
1794	May 29	Aug. 5	June 21	May 6	Apr. 3	Jan. 17	Dec. 3	23	G	Dec. 3	1794	1794
1795	Jun. 5	Aug. 6	June 22	May 5	Apr. 2	Jan. 16	Dec. 2	22	F	Dec. 2	1795	1795
1796	Jun. 12	Aug. 7	June 23	May 4	Apr. 1	Jan. 15	Dec. 1	21	E	Dec. 1	1796	1796
1797	Jun. 19	Aug. 8	June 24	May 3	Mar. 31	Jan. 14	Nov. 30	20	D	Nov. 30	1797	1797
1798	Jun. 26	Aug. 9	June 25	May 2	Mar. 23	Jan. 13	Nov. 23	19	C	Nov. 23	1798	1798
1799	Jul. 3	Aug. 10	June 26	May 1	Mar. 16	Jan. 12	Nov. 16	18	B	Nov. 16	1799	1799
1800	Jul. 10	Aug. 11	June 27	May 30	Mar. 9	Jan. 11	Nov. 9	17	A	Nov. 9	1800	1800
1801	Jul. 17	Aug. 12	June 28	May 29	Mar. 2	Jan. 10	Nov. 2	16	G	Nov. 2	1801	1801
1802	Jul. 24	Aug. 13	June 29	May 28	Mar. 23	Jan. 9	Oct. 26	15	F	Oct. 26	1802	1802
1803	Jul. 31	Aug. 14	June 30	May 27	Mar. 16	Jan. 8	Oct. 19	14	E	Oct. 19	1803	1803
1804	Aug. 7	Aug. 15	July 1	May 26	Mar. 9	Jan. 7	Oct. 12	13	D	Oct. 12	1804	1804

A TABLE of the MOVEABLE FEASTS, according to the feveral Days that EASTER can poffibly fall upon.

Easter-day.	Sundays after Epiphany.	Septuagesima Sunday.	The First Day of Lent.	Rogation Sunday.	Ascenfion-day.	Whitfunday.	Sundays after Trinity.	Advent Sunday.
Mar. 22	Jan. 18	Feb. 4	Apr. 26	Apr. 30	May 10	May 27	Nov. 29	
23	19	5	27	May 1	11	27	30	
24	20	6	28	2	12	27	Dec. 1	
25	21	7	29	3	13	27	2	
26	22	8	30	4	14	27	3	
27	23	9	May 1	5	15	26	Nov. 27	
28	24	10	2	6	16	26	28	
29	25	11	3	7	17	26	29	
30	26	12	4	8	18	26	30	
31	27	13	5	9	19	26	Dec. 1	
Apr. 1	28	14	6	10	20	26	2	
2	29	15	7	11	21	26	3	
3	30	16	8	12	22	25	Nov. 27	
4	31	17	9	13	23	25	28	
5	Feb. 1	18	10	14	24	25	29	
6	2	19	11	15	25	25	30	
7	3	20	12	16	26	25	Dec. 1	
8	4	21	13	17	27	25	2	
9	5	22	14	18	28	25	3	
10	6	23	15	19	29	24	Nov. 27	
11	7	24	16	20	30	24	28	
12	8	25	17	21	31	24	29	
13	9	26	18	22	June 1	24	30	
14	10	27	19	23	2	24	Dec. 1	
15	11	28	20	24	3	24	2	
16	12	Mar 1	21	25	4	24	3	
17	13	2	22	26	5	23	Nov. 27	
18	14	3	23	27	6	23	28	
19	15	4	24	28	7	23	29	
20	16	5	25	29	8	23	30	
21	17	6	26	30	9	23	Dec. 1	
22	18	7	27	31	10	23	2	
23	19	8	28	June 1	11	23	3	
24	20	9	29	2	12	22	Nov. 27	
25	21	10	30	3	13	22	28	

Note, That in a Biffextile or Leap-Year, the Number of Sundays after Epiphany will be the fame, as if *Eafter-Day* had fallen one Day later than it really does. And for the fame reason, one Day must in every Leap-Year be added to the Day of the Month given by the Table for *Septuagesima-Sunday*; And the like must be done for the First Day of *Lent* (commonly called *Afb-Wednesday*) unless the Table gives some Day in the Month of *March* for it; for in that Case the Day given by the Table is the right Day.

Table to find EASTER from the Year 1900, to the Year 2199 inclusive.

Golden Numb.	Day of the Month.	Sunday-Letters.
14	March—22	D
3	23	E
	24	F
11	25	G
	26	A
19	27	B
8	28	C
	29	D
16	30	E
5	31	F
	April—1	G
13	2	A
2	3	B
	4	C
10	5	D
	6	E
18	7	F
7	8	G
	9	A
15	10	B
4	11	C
	12	D
12	13	E
1	14	F
	15	G
9	16	A
17	17	B
6	18	C
	19	D
	20	E
	21	F
	22	G
	23	A
	24	B
	25	C

THE Golden Numbers in the foregoing Calendar will point out the Days of the Paschal Full Moons, till the Year of our Lord 1900; at which Time, in order that the Ecclesiastical Full Moons may fall nearly on the same Days with the real Full Moons, the Golden Numbers must be removed to different Days of the Calendar, as is done in the annexed Table, which contains so much of the Calendar then to be used, as is necessary for finding the Paschal Full Moons, and the Feast of *Easter*, from the Year 1900, to the Year 2199 inclusive. This Table is to be made use of, in all respects, as the First Table before inserted, for finding *Easter* till the Year 1899.

General TABLES for finding the Dominical or Sunday-Letter,
and the Places of the Golden Numbers in the Calendar.

TABLE I.

6	5	4	3	2	1	0
B	C	D	E	F	G	A
				1600	1700	1800
1900	2100	2200	2300	2500	2600	2700
2000			2400			2800
2900	3000	3100	3200	3300	3400	3500
					3600	3700
3800	3900	4000	4100	4200	4300	4400
					4500	4600
4700	4800	4900	5000	5100	5200	5300
					5400	5500
5600						
5700	5800	5900	6000	6100	6200	6300
					6400	6500
6600	6700	6800	6900	7000	7100	7200
					7300	7400
7500	7600	7700	7800	7900	8000	8100
					8200	8300
					8400	
8500 &c.						

TABLE II.

1	2	3	1	2	3
	Years of our Lord.			Years of our Lord.	
B	1600	0	B	5200	15
	1700	1		5300	16
	1800	1		5400	17
	1900	2		5500	17
B	2000	2	B	5600	17
	2100	2		5700	18
	2200	3		5800	18
	2300	4		5900	19
B	2400	3	B	6000	19
	2500	4		6100	19
	2600	5		6200	20
	2700	5		6300	21
B	2800	5	B	6400	20
	2900	6		6500	21
	3000	6		6600	22
	3100	7		6700	23
B	3200	7	B	6800	22
	3300	7		6900	23
	3400	8		7000	24
	3500	9		7100	24
B	3600	8	B	7200	24
	3700	9		7300	25
	3800	10		7400	25
	3900	10		7500	26
B	4000	10	B	7600	26
	4100	11		7700	26
	4200	12		7800	27
	4300	12		7900	28
B	4400	12	B	8000	27
	4500	13		8100	28
	4600	13		8200	29
	4700	14		8300	29
B	4800	14	B	8400	29
	4900	14		8500	30
	5000	15		&c.	
	5100	16			

To find the Dominical or Sunday-Letter for any given Year of our Lord, add to the Year its Fourth Part, omitting Fractions, and also the Number, which in Table I. standeth at the Top of the Column, wherein the Number of Hundreds contained in that given Year is found: Divide the Sum by 7, and if there is no Remainder, then A is the Sunday-Letter; but if any Number remaineth, then the Letter, which standeth under that Number at the Top of the Table, is the Sunday-Letter.

To find the Month and Days of the Month, to which the Golden Numbers ought to be prefixed in the Calendar, in any given Year of our Lord, consisting of entire Hundred Years, and in all the intermediate Years betwixt that and the next Hundredth Year following; look in the Second Column of Table II. for the given Year, consisting of entire Hundreds, and Note the Number or Cypher which stands against it in the Third Column: Then, in Table III. look for the same Number in the Column under any given Golden Number; which when you have found, guide your Eye side-ways to the Left Hand, and in the First Column you will find the Month and Day, to which that Golden Number ought to be prefixed in the Calendar during that Period of One hundred Years.

The Letter B prefixed to certain Hundredth Years in Table II. denotes those Years which are still to be accounted Bissextile or Leap-Years, in the New Calendar; whereas all the other Hundredth Years are to be accounted only common Years.

TABLE III.

Paschal Full Moon.		The GOLDEN NUMBERS.																			
		Sunday Letter.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
March	21	C	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26
March	22	D	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27
March	23	E	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28
March	24	F	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29
March	25	G	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0
March	26	A	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1
March	27	B	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2
March	28	C	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3
March	29	D	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4
March	30	E	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5
March	31	F	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6
April	1	G	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7
April	2	A	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8
April	3	B	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9
April	4	C	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10
April	5	D	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11
April	6	E	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12
April	7	F	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13
April	8	G	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14
April	9	A	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15
April	10	B	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16
April	11	C	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17
April	12	D	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18
April	13	E	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19
April	14	F	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20
April	15	G	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21
April	16	A	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22
April	17	B	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23
April	17	C	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24
April	18	D	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25

C A P. XXIV.

An act to provide for the adminiftration of the government, in case the crown fhould defcend to any of the children of his late royal highnefs Frederick prince of Wales, being under the age of eighteen years; and for the care and guardianship of their perfons.

Moſt gracious Sovereign,

WHEREAS your Maſteſty having it entirely at heart to ſecure the future welfare and happineſs of your people, was graciouſly pleaſed to communicate to your parliament, That you had maturely conſidered, that nothing can conduce ſo much (under the proteſtion of the divine providence) to the preſervation of the proteſtant ſucceſſion in your royal family, and the ſupport of the religion, laws and liberties of theſe kingdoms (which have always been moſt dear to your Maſteſty) as the making proper proviſions for the care and tuition of the perſon of your ſucceſſor to the crown, and for the regular adminiſtration of the government, in caſe ſuch ſucceſſor ſhould be of tender years, by means whereof, the ſafety and princely education of ſuch ſucceſſor may be ſecured, the publick peace and good order maintained, and the ſtrength and glory of the crown of Great Britain ſuffer no diminution; for which reaſons your Maſteſty, out of your paternal affection and tenderneſs for your royal family, and for all your faithful ſubjects, did earneſtly recommend it to both your houſes of parliament to take this weighty affair into their moſt ſerious deliberation; and was pleaſed to propoſe to their conſideration, That when the imperial crown of theſe realms ſhould deſcend to any of the iſſue of your ſon the late prince of Wales, being under the age of eighteen years, the prince's dowager of Wales their mother (of whoſe great virtues and eminent qualities, we are truly ſenſible) might be guardian of the perſon of ſuch ſucceſſor, and regent of theſe kingdoms, until they ſhould attain ſuch age, with ſuch powers and limitations as ſhould appear neceſſary and expedient for theſe important purpoſes: and whereas, in return for this paternal goodneſs, with the moſt unſeigned duty and gratitude to your Maſteſty, and with the juſteſt ſenſe of that conſtant proteſtion which your Maſteſty has always extended to our religious and civil rights, and of the many bleſſings which theſe kingdoms have enjoyed, during your auſpicious and glorious reign (for the long continuance whereof our daily and moſt fervent prayers are offered up to heaven) we have taken this weighty affair into our ſerious conſideration, and being thoroughly convinced of the wiſdom and expediency of what your Maſteſty has thought fit to recommend on this important occaſion, are firmly and zealouſly determined to contribute every thing in our power to the preſervation of the proteſtant ſucceſſion, as ſettled by law in your royal family, the numerous hopeful branches whereof, formed by your inſtruction, and led by your example, we look upon as ſo many pledges of the ſecurity of our excellent conſtitution to future generations: we, your Maſteſty's moſt dutiful and loyal ſubjects, the lords ſpiritual and temporal and commons in parliament aſſembled, do
humbly

humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That whensoever, and as often as the imperial crown of this realm shall descend to his royal highness *George William Frederick* prince of *Wales*, the eldest son of his royal highness *Frederick* late prince of *Wales*, or to any other of the children of his said late royal highness, if at the respective times of such descent, his said royal highness *George William Frederick* prince of *Wales*, or such other of the said children succeeding to the crown as aforesaid, shall be under the age of eighteen years, her royal highness *Augusta* princess dowager of *Wales* shall be guardian and have the care, tuition and education of the person of his said royal highness *George William Frederick* prince of *Wales*, or such other successor as aforesaid, until their respective ages of eighteen years, and shall, till such ages, have the disposition, ordering and management of all matters and things relating thereto; and that her said royal highness shall, during such minorities, and no longer, have full power and authority, in the name of his said royal highness *George William Frederick* prince of *Wales*, or such other successor, and in his or her stead, and under the stile and title of *Regent of the Kingdom*, to exercise and administer, according to the laws and constitution thereof, the regal power and government of this realm, and all the dominions, countries and territories belonging to the crown of *Great Britain*, and shall do and execute all prerogatives, authorities, acts of government and administration of government, which belong to the King or Queen of this realm to do and execute, according to law; but in such manner, and subject to such conditions, restrictions, limitations and regulations, as are herein after for that purpose specified and mentioned.

If the crown shall descend to any of the children of the late prince of *Wales*, being under the age of 18 years,

Augusta princess dowager of *Wales* is constituted guardian of such successor,

and regent of the kingdom.

II. And be it further enacted by the authority aforesaid, That all acts of regal power, prerogative, government or administration of government, of what nature or kind soever, which shall be done or executed by such King or Queen under the age of eighteen years, during the regency of her said royal highness, established by this act, otherwise than by her said royal highness, in the manner, and according to the directions of this act, shall be absolutely null and void to all intents and purposes.

Acts of regal power done otherwise than by her royal highness declared void.

III. And be it further enacted by the authority aforesaid, That in order to assist her said royal highness in the administration of the government, there shall be during such minorities, a council to be called *The Council of Regency*, which shall consist of the persons and officers following, (that is to say) his royal highness *William* duke of *Cumberland*, the archbishop of *Canterbury* for the time being, the lord chancellor or lord keeper of the great seal of *Great Britain* for the time being, the lord treasurer of *Great Britain* for the time being, the lord president of the council for the time being, the lord privy seal for the time being,

Council of regency to assist her royal highness.

His Majesty
by 3 instru-
ments under
his ſign ma-
nual may add
four counſel-
lors;

and may alter
his nomina-
tion,

After the de-
miſe of his
Majeſty, in
caſe of ſuch
minority, the
inſtruments
to be brought
before the
privy council.

Any perſon
who ſhall open
the ſaid in-
ſtruments,
&c. incurs a
premunire.

ing, the lord high admiral of *Great Britain* for the time being, the principal ſecretaries of ſtate for the time being, and the lord chief juſtice of the court of *King's Bench* for the time being; and ſuch and ſo many other perſons (being natural-born ſubjects of this realm) not exceeding the number of four, as his preſent Majeſty ſhall, by three inſtruments under his royal ſign manual, revocable, from time to time, at his will and pleaſure, think fit to nominate and add to the ſaid perſons and officers before mentioned; which three inſtruments being ſealed up under three ſeveral covers, with any ſeal his Majeſty ſhall think fit to make uſe of for that purpoſe, ſhall be each ſealed alſo with the ſeveral ſeals of her ſaid royal highneſs, the archbiſhop of *Canterbury* for the time being, and the lord chancellor or lord keeper of the great ſeal for the time being; and one of the ſaid inſtruments ſhall be lodged and depoſited in the hands of her ſaid royal highneſs, another in the hands of the ſaid archbiſhop of *Canterbury*, and one other in the hands of the lord chancellor or lord keeper of the great ſeal for the time being; and if his Majeſty ſhall be willing to revoke or alter his nomination made as aforeſaid, and ſhall, by three writings under his hand and ſeal, require the ſaid inſtruments ſo depoſited as aforeſaid, to be delivered up to ſome perſon or perſons thereby authorized to receive the ſame, then and in ſuch caſe, the perſons with whom the ſaid inſtruments ſhall be depoſited as aforeſaid, and every of them, and in caſe of the deaths of any of them, their executors and adminiſtrators reſpectively, and every other perſon in whoſe cuſtody any of the ſaid inſtruments ſhall happen to be, ſhall deliver up the ſame accordingly; and in caſe the ſaid archbiſhop of *Canterbury*, or the lord chancellor or lord keeper ſhall die or be removed from their ſaid offices, before the re-delivery of ſuch inſtruments as aforeſaid, the perſon ſo removed, and the executors and adminiſtrators of the perſons ſo dying, and every perſon in whoſe cuſtody ſuch inſtrument ſhall happen to be, ſhall deliver the ſame with all convenient ſpeed, to the ſucceſſor or ſucceſſors of the perſon ſo dying or being removed; and after the demiſe of his Majeſty, in caſe of ſuch minority as aforeſaid, the ſaid three perſons, their executors or adminiſtrators, and all other perſons in whoſe cuſtody the ſaid inſtruments ſhall then be, ſhall immediately bring the ſame before the privy council then exiſting; which it is hereby enacted, ſhall be forthwith on ſuch demiſe aſſembled, and ſuch inſtruments ſhall be there opened and read, and preſently afterwards inrolled in the high court of *Chancery*.

IV. And be it further enacted by the authority aforeſaid, That if any of the ſaid perſons, with whom the ſaid inſtruments ſhall be ſo depoſited, or any of their executors or adminiſtrators, or any other perſon having the cuſtody thereof, ſhall open any of the ſaid inſtruments in the life of his preſent Majeſty, without his Majeſty's order, or ſhall wilfully neglect or reſuſe to produce and deliver the ſame to the privy council, every perſon ſo opening, neglecting or reſuſing, ſhall incur the pains and penalties

nalties of *Premunire* inflicted by the statute of *Premunire* made in the sixteenth year of the reign of King *Richard* the Second.

V. And be it further enacted by the authority aforesaid, That if all the said three instruments shall not be produced before the said privy council as aforesaid, then any one or more of the said instruments so produced, shall be effectual to give such authority as aforesaid, to the persons therein named, not exceeding four; and in case his Majesty shall not be pleased to name any such additional counsellors, then his said royal highness the duke of *Cumberland*, the said archbishop of *Canterbury*, and the said officers for the time being, shall be solely the council of regency, and be invested with all the powers intended to be vested by this act in the council of regency.

One instrument produced, effectual.

VI. Provided always, That if at the time of his Majesty's demise, or at any time during the regency of her said royal highness, there shall be no lord high treasurer of *Great Britain*, and the office of treasurer of the *Exchequer* shall be in commission, or if there shall be then no lord high admiral, and the office of lord high admiral shall be then in commission, then the first commissioner named in such respective commissions shall be of the said council of regency.

If the office of lord high treasurer, &c. be in commission, the first in commission to be of the council.

VII. And be it further enacted by the authority aforesaid, That the said council of regency shall, from time to time, meet and sit as her said royal highness shall be pleased to direct, and that any five of the said council, but not any less number, being so assembled, shall be sufficient to act as such council of regency, and all acts to be done by a major part of the council so assembled, shall be deemed to be acts of the council of regency, (excepting in such particular cases wherein it is otherwise provided by this act) and that his said royal highness *William* duke of *Cumberland* shall be chief or head of the said council.

Not less than five of the council to act.

His royal highness the duke, head of the council.

VIII. And be it further enacted by the authority aforesaid, That her royal highness the princess dowager of *Wales*, before she shall act or enter upon her said office of regent, or within one calendar month after, shall take the following oath of office (that is to say)

Oath of office to be taken by her royal highness.

I *Augusta* princess dowager of *Wales*, do solemnly promise and swear, That I will truly and faithfully execute the office of regent of the kingdom of *Great Britain*, according to an act of parliament made in the twenty-fourth year of the reign of his majesty King *George* the Second, intituled, An act to provide for the administration of the government, in case the crown should descend to any of the children of his late royal highness *Frederick* prince of *Wales*, being under the age of eighteen years, and for the care and guardianship of their persons; and that I will administer the government of this realm, and of all the dominions thereunto belonging, according to the laws, customs and statutes thereof; and will in all things, to the utmost of my power and ability, consult and maintain the safety, honour and dignity of his or her (as the case shall re-

quire) *Majesty, and the welfare of his or her* (as the case shall require) *people.*

So help me God.

Oath of office to be taken by each member of the council. IX. And each of the members of the said council of regency, and their successors, shall, before they shall respectively act in or enter upon their respective offices as members of the said council, take the following oath of office (that is to say)

I A. B. *do solemnly promise and swear, That I will truly and faithfully serve his or her* (as the case shall require) *Majesty, in the office of one of the council of regency, established by an act of parliament made in the twenty-fourth year of the reign of his majesty King George the Second, intituled, An act to provide for the administration of the government, in case the crown should descend to any of the children of his late royal highness Frederick prince of Wales, being under the age of eighteen years; and for the care and guardianship of their persons; and that I will duly and faithfully execute the said office, according to the true intent and meaning of the said act; and that in all matters and things which shall be moved, debated and considered in the council of regency, I will truly and faithfully declare my mind and opinion, according to my heart and conscience, and the best of my judgement; and will support, maintain, and defend the person, honour, crown and dignity of his or her* (as the case shall require) *Majesty, to the utmost of my power.*

So help me God.

To be taken before the privy council.

Each of which oaths shall be taken before the privy council then in being, who are hereby required and impowered to administer the same, and to enter the same in the council books.

Her royal highness and the council to qualify themselves, as for offices of trust.

X. And be it further enacted by the authority aforesaid, That her said royal highness, and every person who shall be of the council of regency by virtue of this act, and of the powers hereby given, shall be deemed and taken to be persons having and executing offices or places of trust within *England*, and take and subscribe such oaths, make and subscribe such declaration, and do all such acts as are required by the laws and statutes of this kingdom, to qualify persons to hold and continue in offices and places of trust, within such times, and in such manner, and under such pains, penalties, forfeitures and disabilities, as in and by the said laws and statutes are required.

Her royal highness may take the oaths, &c. before the privy council, and receive the sacrament in the royal chapel.

XI. Provided nevertheless, and be it enacted by the authority aforesaid, That it shall be lawful for her said royal highness to take and subscribe the said oaths, and make and subscribe such declaration, in and before the privy council, and the certificate of her said royal highness's having received the sacrament of the Lord's supper, in any of the royal chapels, signed by the person administering the same, shall be registered in the said privy council, and her said royal highness's so taking and subscribing the said oaths, and making and subscribing the said declaration, and

and taking the ſaid ſacrament, ſhall be to all intents and purpoſes as effectual as if the ſame had been taken, made and ſubſcribed in the manner required by law, for the qualification of perſons to hold and continue in offices and places of truſt.

XII. And be it further enacted by the authority aforeſaid, That whenſoever his preſent Maſteſty (whom God long preſerve) ſhall happen to demife, leaving ſuch ſucceſſor as aforeſaid, under the age of eighteen years, the privy council for the kingdom of *Great Britain* in being, at the time of ſuch demife, ſhall, with all convenient ſpeed, aſſemble, and cauſe ſuch next ſucceſſor intituled to the crown of *Great Britain*, by virtue of an act of the twelfth year of the reign of King *William the Third*, (intituled, *An act for the further limitation of the crown, and better ſecuring the rights and liberties of the ſubject*) to be openly and ſolemnly proclaimed in the uſual manner in *Great Britain* and *Ireland*; and that all and every member and members of the ſaid privy council, wilfully neglecting or reſuſing to cauſe ſuch proclamations to be made, ſhall be guilty of high treaſon, and ſuffer upon conviction thereof pains of death, and all other loſſes and forfeitures, as in caſes of high treaſon.

Upon his Maſteſty's demife, in the minority of his ſucceſſor, the privy council to cauſe ſuch ſucceſſor to be proclaimed, 12 W. 3. C. 2.

under penalty of high treaſon.

XIII. Provided always, and be it enacted by the authority aforeſaid, That in the creation of all peerages of *Great Britain*, or *Ireland*, in the pardoning of all crimes of high treaſon, and in the gift, grant and diſpoſition of all archbiſhopricks and biſhopricks in *England* or *Ireland*, the offices of lord chancellor or lord keeper of the great ſeal of *Great Britain* or *Ireland*, of lord treaſurer or treaſurers of the *Exchequer*, or commiſſioners for executing the office of treaſurer of the *Exchequer*, lord preſident of the council, lord privy ſeal, lord high admiral, or commiſſioners for executing the office of lord high admiral, the principal ſecretaries of ſtate, maſter of the rolls in *Great Britain* and *Ireland*, and of all the judges of the courts of *King's Bench* and *Common Pleas*, and barons of the courts of *Exchequer* in *England* and *Ireland*, and of the judges of the court of ſeſſion, court of juſticiary, and barons of the court of *Exchequer* in *Scotland*, and in the giving inſtructions, orders and authorities for the making any treaties with any foreign powers; the conſent of the ſaid council of regency, or the major part of any five or more of them ſo aſſembled as aforeſaid, ſhall be neceſſary to make the ſaid creations, pardons, gifts, grants, diſpoſitions, inſtructions, orders or authorities, good and effectual.

The majority of five of the council of regency neceſſary in all creations, &c.

XIV. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall not be lawful for her ſaid royal highneſs to make war or peace, ratify any treaty with any foreign power, or to prorogue, adjourn or diſſolve any parliament, without the conſent of the major part of the whole council of regency, then in being, and in *Great Britain*, in caſe there ſhall then be an unequal number in *Great Britain*; and if the number then in *Great Britain* ſhall be an equal number, then without the conſent of one half part of the ſaid council; and that her ſaid royal highneſs, either with or without the conſent of the ſaid council

Her royal highneſs not to make war or peace, prorogue, or diſſolve any parliament, without conſent of the council, nor to give the royal aſſent to any act for altering the ſucceſſion, of

of regency, ſhall not give the royal aſſent to any bill or bills in parliament, for repealing, changing, or in any reſpect varying from the order and courſe of ſucceſſion to the crown of this realm, as the ſame ſtands now eſtabliſhed in the illuſtrious houſe of *Hanover*, by the ſaid act of the twelfth year of the reign of King *William* the Third, intituled, (*An act for the further limitation of the crown, and better ſecuring the rights and liberties of the ſubject* or to any act for repealing or altering the act made in the thirteenth year of the reign of King *Charles* the Second, intituled, *An act for the uniformity of publick prayers and adminiſtration of ſacraments, and other rites and ceremonies; and for eſta- bliſhing the form of making, ordaining and conſecrating biſhops, prieſts, and deacons, in the church of England*) or one act of the fifth year of the reign of Queen *Anne*, made in *Scotland*, (intituled, *An act for ſecuring the proteſtant religion and preſbyterian church government.*)

nor for repeal-
ing or altering
13 Car. 2. c. 4.

or 5 Annæ.

Members of
the council by
reaſon of of-
fice, to be no
longer of the
council than
they continue
in office.
Officers ap-
pointed to be
of the council,
to continue in
office unleſs
removed.

XV. Provided alſo, and be it further enacted by the au-
thority aforeſaid, That the archbiſhop of *Canterbury*, or any
other perſon appointed by this act to be of the ſaid council of
regency, in virtue or by reaſon of his dignity or office, ſhall
continue no longer of the ſaid council than he ſhall continue in
ſuch his ſaid dignity or office, and his ſucceſſor in ſuch dignity
or office ſhall become one of the ſaid council; and that the lord
chancellor or lord keeper of the great ſeal for the time being,
the lord treaſurer or firſt commiſſioner of the treaſury for the
time being, the lord preſident of the council for the time being,
the lord privy ſeal for the time being, the lord high admiral or
firſt commiſſioner of the admiralty for the time being, and the
principal ſecretaries of ſtate for the time being, ſo appointed to
be of the ſaid council of regency by this act, ſhall continue in
their ſaid reſpective offices, after ſuch deſcent of the crown to
any of the children of his ſaid royal highneſs *Frederick* late prince
of *Wales*, during the regency of her ſaid royal highneſs, as well
after as before the expiration of ſix months from the time of
ſuch deſcent, unleſs removed by her ſaid royal highneſs, with
the conſent of a major part of the whole council of regency then
in being, and in *Great Britain*, in caſe there ſhall then be an un-
equal number in *Great Britain*; and if the number then in
Great Britain ſhall be an equal number, then with the conſent of
one half part of the ſaid council, or upon the addreſs of both
houſes of parliament, in which latter caſe her royal highneſs al-
one may remove any of the ſaid officers againſt whom ſuch ad-
dreſs ſhall be preſented.

Members of
the council
may be re-
moved by
conſent of the
majority, &c.
or upon ad-
dreſs of both
houſes of par-
liament.

XVI. Provided nevertheleſs, That the archbiſhop of *Can-
terbury* for the time being, and the lord chief juſtice of the court
of *King's Bench* for the time being, notwithstanding their re-
maining in ſuch dignity and office reſpectively, may be remov-
ed from being of the council of regency by her royal highneſs,
with the conſent of a major part of the council of regency then
in being, and in *Great Britain*, in caſe there ſhall then be an un-
equal number in *Great Britain*; and if the number then in *Great
Britain*

Britain shall be an equal number, then with the consent of one half part of the said council, or upon the address of both houses of parliament; and that any other of the members of the said council not so appointed in virtue or by reason of their dignities or offices, may be removed likewise by her royal highness, with the like consent, or upon the address of both houses of parliament; and within two calendar months after such descent of the crown as aforesaid, in case any vacancy or vacancies of any of the said offices shall happen then to be, and within the space of two calendar months after every vacancy which shall happen by means of such removal, or by the death or resignation of any member of the said council of regency, her royal highness shall and is required, with the consent of the council of regency, or the major part of those present, not being less than five, to fill up such vacancy by the appointment of a new officer, where the vacancy happens by the death, removal or resignation of one of the members of the said council, so appointed in virtue or by reason of his dignity or office, or by the appointment of a new member of the said council, being a natural born subject of this realm, where the vacancy happens by the death or removal, or resignation of any member, not being one of the officers named in this act, or by the resignation or removal of the archbishop of *Canterbury*, or of the lord chief justice of the *King's Bench*, from being of the said council of regency.

Vacancies of members of the council to be filled up within 2 months.

XVII. Provided always, and be it enacted by the authority aforesaid, That nothing herein contained shall take away or prejudice the rights, authorities, powers and jurisdictions of the privy council, but her said royal highness shall have full power to summon and hold, or to cause the same to be summoned and holden in the usual manner, and any of the members of the said council of regency may be and continue of the privy council also.

Rights of the privy council preserved.

XVIII. And be it further enacted by the authority aforesaid, That whensoever and as often as the crown shall descend to such minor successor as aforesaid, in case a parliament shall be then in being, which shall have met and sat, such parliament shall continue for three years, from the time of such descent, unless such successor to whom the crown shall descend as aforesaid, shall sooner attain his or her age of eighteen years, or such parliament shall be sooner dissolved by her said royal highness with the consent of a major part of the council of regency, then in being, and in *Great Britain*, in case there shall then be an unequal number in *Great Britain*, and if the number then in *Great Britain* shall be an equal number, then with the consent of one half part of the said council; and in case at the time of such descent, there shall be no parliament in being, which shall have met and sat, then the last preceding parliament shall immediately convene and sit at *Westminster*, and be a parliament to continue for three years as aforesaid, to all intents and purposes, as if the same had never been dissolved, unless such successor shall sooner attain his or her age of eighteen years, or such parliament

Upon descent of the crown to a minor the parliament to continue for 3 years, unless such successor shall be sooner of age, or the parliament be dissolved, &c.

If no parliament in being, the preceding parliament to sit for 3 years.

ment

ment shall be sooner dissolved by her said royal highness, with such consent as last mentioned.

successor not to be married during minority, without consent of her royal highness and the council;

such marriage null, and every person concerned, &c. guilty of high treason.

In cases of equality of voices, her royal highness may decide.

Where consent of a majority is necessary, the members are to sign the same.

Clerk of the council to be appointed,

and take an oath of office.

Commissions, &c. to change the order, &c. of government, declared void,

and the persons concerned to incur a Premunire.

XIX. And be it further enacted by the authority aforesaid, That his royal highness *George William Frederick* prince of *Wales*, in case the crown shall descend or come to him before his age of eighteen, or any other of the children of his late royal highness *Frederick* prince of *Wales*, to whom the same shall descend before his or her age of eighteen years, shall not, during the regency of her said royal highness, be married to any person whatsoever, without the consent of her said royal highness, and of a major part of the said council of regency then in being, and in *Great Britain*, in case there shall then be an unequal number in *Great Britain*, and if the number then in *Great Britain* shall be an equal number, then without the consent of one half part of the said council; and every marriage so had without such consent, shall be null and void to all intents and purposes; and every person who shall be acting, aiding, abetting or concerned in obtaining, procuring or bringing about any such marriage, and the person who shall be so married to such King or Queen, under the age of eighteen years, shall be guilty of high treason, and suffer and forfeit as in cases of high treason.

XX. And be it further enacted by the authority aforesaid, That in all cases where the members of the council of regency shall be equally divided in their voices, her said royal highness shall and may decide and determine the question or matter concerning which they shall be so equally divided, if she shall be pleased to give her own opinion thereupon.

XXI. And be it further enacted by the authority aforesaid, That in all cases where the consent of a major or one half part of the said council of regency then in being, and in *Great Britain*, is by this act made necessary to the validity of any act, matter or thing, such consent shall be signed by the respective members giving such consent in the council books; and that a clerk or clerks of the council of regency, shall be appointed by her said royal highness, and such clerk or clerks shall provide books for entering the acts of such council, and shall enter the same truly and faithfully, and keep the said books, for which he or they shall be answerable, and such clerk or clerks, before he or they enter upon the execution of their said office, shall take an oath before such council, for the due execution of such office or place respectively.

XXII. And be it further enacted by the authority aforesaid, That all commissions, letters patent, orders, matters and things to be made, passed, had or done by the said regent, either with or without the consent of the said council of regency, in order unlawfully to set aside, change or vary the order and method of government, and administration of government settled by this act, during such minorities as aforesaid, shall be absolutely null and void to all intents and purposes, and every person advising, concurring, promoting or assisting therein, shall incur the penalties of *Premunire*, inflicted by the said statute of *Premunire*.

XXIII. And

XXIII. And be it declared and enacted by the authority aforeſaid, That an act of parliament made in the twenty-eighth year of the reign of King Henry the Eighth, intituled, *An act giving authority to ſuch as ſhall ſucceed to the crown of this realm when they come to the age of twenty-four years, to make fruſtrate ſuch acts as ſhall be made afore in their time*; and one other act made in the firſt year of the reign of King Edward the Sixth, intituled, *An act for the repeal of a certain ſtatute made in the eight and twentieth year of the reign of the late King, of moſt famous memory, Henry the Eighth, for revoking of acts of parliament, are determined, and of no force or effect whatſoever.* ^{28 Hen. 8. c. 17.} and 1 Ed. 6. c. 11. determined.

C A P. XXV.

An act for laying out, making and keeping in repair, a road proper for the paſſage of troops and carriages from the city of Carlisle to the town of Newcastle upon Tyne.

WHEREAS the making and keeping a free and open communication between the city of Carlisle and the town of Newcastle upon Tyne, by a road proper for the paſſage of troops, horſes and carriages, at all times in the year, would be of great uſe and ſervice to the publick; and it hath been found by experience, that the want of ſuch road, paſſage and communication, hath been attended with great inconvenience and danger to this kingdom: and whereas ſuch road cannot be laid out, or the charge of making the ſame be defrayed, otherwiſe than at the expence of the publick, and by the authority of parliament; but is apprehended that ſuch publick road when finiſhed, may be ſupported, and kept in repair, by proper tolls and duties to be raiſed and collected thereupon for that purpoſe: may it therefore pleaſe your moſt excellent Maſteſty, that it may be enacted, &c.

The new road ſhall extend from the weſt gate of Newcastle to Eaſt Denton, and by Chapel Houſes to Haddon on the Wall, Harlow Hill, Port Gate, Chollerford Bridge, Walwick, Carrawburgh, Winſhelds, Clowgill, Brampton, High Crosby, Drawdikes and Stanwix, to the Scotch gate of Carlisle. Trustees to nominate officers, &c. Copies of the accounts and of all contracts, &c. to be delivered to each houſe of parliament. Surveyors may dig gravel in waſte grounds, &c. without paying for the ſame; levelling the pits. Juſtices to determine differences. Trustees may purchaſe lands to be taken into the road, &c. Perſons neglecting to treat for the ſale of ſuch lands, trustees may aſſeſs the recompence, by a jury. The recompence charged on the monies granted by parliament for making the road. 3,000l. to be paid out of the ſupplies for the year 1751, towards making the road; 1,000l. to the trustees of Cumberland, and 2,000l. to the trustees of Northumberland. Accounts of the monies to be laid before parliament. When the road ſhall be made, turnpikes and toll-houſes are to be erected, and tolls to be taken. One third of the tolls only to be taken at any one toll-gate in Northumberland, and one half in Cumberland. Penalty on carriages with four wheels, drawn by more than four horſes, or with fewer wheels, by more than three horſes. Owners of collieries may lay waggon-ways croſs the road, and repair the ſame. Juſtices to determine the ſtatute-work to be done on the road. Perſons aggrieved may appeal to the quarter-ſeſſions. Trustees may leſſen the tolls. Juſtices may appoint perſons to inſpect the road, who ſhall enquire of the application of the tolls, and certify

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tify any misapplication. On death, &c. of trustees others to be chosen. Road to be measured, and mile-stones erected. Tolls to continue, until otherwise provided by parliament.

CAP. XXVI.

An act for cleansing and enlightening the open places, streets, and other passages; and regulating the nightly watch and bedels in the parish of Saint Matthew Bethnal Green, in the county of Middlesex.

CAP. XXVII.

An act to enable the present and future proprietors and inhabitants of the houses in Golden Square, in the parish of Saint James, Westminster, in the county of Middlesex, to make and levy a rate on themselves, for raising money sufficient for the better inclosing, paving, enlightening and adorning of the said square; and supporting and keeping of the same in repair for the future.

CAP. XXVIII.

An act for repairing the road from the top of Crickley Hill in the county of Gloucester, to Frogg-Mill, through the towns of Northleach, Burford and Witney, and parishes of Hanborough and Bladen, to Campsfield, in the parish of Kidlington, in the county of Oxford; and also the road from Witney, through Ensham, Cumner and Botley, to the city of Oxford. *Certain tolls granted for 21 years.*

CAP. XXIX.

An act for repairing the road leading from the town of Ludlow in the county of Salop, through Woofferton and Little Hereford, to a place called Monks Bridge in the said county; and also from the said town of Ludlow, to a place or house called the Maidenhead at Orleton in the county of Hereford. *Certain tolls granted for 21 years.*

CAP. XXX.

An act for repairing the high roads leading from Darlington in the county of Durham to West Auckland, and several other roads in the said county therein mentioned. *Certain tolls granted for 21 years.*

CAP. XXXI.

An act for explaining, amending and enforcing an act passed in the thirteenth year of his late Majesty's reign, intituled, An act for the better regulation of the linen and hempen manufactures in that part of Great Britain called Scotland; and for further regulating and encouraging the said manufactures.

3 Geo. I. c. 26. **W**HEREAS by an act passed in the thirteenth year of the reign of his late majesty King George the First, (intituled, An act for the better regulation of the linen and hempen manufactures in that part of Great Britain called Scotland) certain rules and regulations were established for encouraging and improving of the said manufactures, and for preventing of frauds and abuses in the same: and whereas the said rules and regulations have been found useful and beneficial, and have been a means of improving the said manufactures, which might be still brought to greater perfection, and be further extended, if some parts of the said act were explained, amended and enforced, and further regulations established: may it therefore please your Majesty that it may be enacted; and be it

it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all and every person and persons who shall import, or cause to be imported, into any port or place in *Scotland*, any bad, mixed or damnified lintseed or hempseed, or any lintseed or hempseed which shall not be thoroughly cleansed, or any lintseed commonly called or known by the name of *Short Lintseed*, he and they shall, for every such offence, forfeit such lintseed or hempseed, and shall also be subject and liable to a penalty, not exceeding three pounds sterling for every hoghead of such seed; and so in proportion for any less quantity.

Importers of bad lintseed or hempseed, or short lintseed.

forfeit 3l. per. hoghead.

II. Provided always, and it is hereby enacted, That if all or any of such damnified lintseed or hempseed shall be only damaged, in the conveyance by sea, the importer or importers, proprietor or proprietors thereof, shall not be liable or subject to the said forfeiture or penalty: in case he or they shall immediately, upon the landing of such seed, produce sufficient proof before some justice of the peace, or other magistrate, that such damage was occasioned as aforesaid, and give sufficient security as soon as may be unto the trustees appointed, or to be appointed, in pursuance of the said act of the thirteenth year of his late Majesty's reign, that such seed shall not be sown, but shall be made into oil, or exported under the penalty of five pounds for every hoghead of such damnified seed; and so in proportion for any less quantity.

Upon proof of the lintseed being damaged by sea, importer not to forfeit;

giving security for its being exported or made into oil.

III. Provided also, and be it enacted, That if any lintseed or hempseed of the growth of *Scotland* shall be bad, short, damnified or otherwise improper and unfit for sowing, the proprietor or proprietors thereof shall not be subject or liable to any penalty or forfeiture inflicted by the said former act, for the selling or exposing to sale any bad or damnified lintseed or hempseed, in case he shall, before he shall sell such seed, or expose the same to sale, give sufficient security to the said trustees, that such seed shall not be sown, but made into oil, or exported, under the penalty of five pounds for every hoghead of such seed, and so in proportion for any less quantity.

Proprietor of short or bad, &c. lintseed, &c. of the growth of Scotland,

to give security that the same shall be exported, or made into oil.

IV. And whereas a doubt hath arisen with relation to the exact measure by which all lintseed and hempseed is by the said act directed to be sold; be it enacted, That all lintseed and hempseed shall be sold by the *Linlithgow Barley Measure* streaked, and that all such measures shall be first marked and stamped by the dean of guild of some royal borough, with the usual mark of such borough, and also with these words *Linlithgow Barley Measure*; and if any person shall vend or sell any lintseed or hempseed by any measure that shall not be marked and stamped, in manner as aforesaid, such person shall forfeit for every such offence such measure, and also the sum of forty shillings sterling.

Lintseed, &c. to be sold by the Linlithgow barley measure streaked, &c.

V. And be it further enacted by the authority aforesaid, That all and every person and persons who shall sell and deliver to any one buyer, at one time, ten pecks, or any larger quantity of one buyer, to

Persons selling ten pecks, to, lin-

give a certificate of the quantity, price, and growth, &c.

lintseed or hempseed, without delivering therewith a certificate subscribed by such person or persons, expressing the quantity and price of the seed, and if the same shall be of foreign production, the port from whence the same was imported, and the name of the country where it grew, and the year of its growth; and if such seed shall be of the produce of *Britain*, the year of its growth, and the name of the county where it grew; such person or persons shall forfeit a sum not exceeding five pounds, nor less than fifty shillings sterling, for every hoghead of such seed; and so proportionably for any less quantity.

Officers may enter warehouses for keeping lintseed, &c.

VI. And be it further enacted, That all stamp-masters, riding-officers, surveyors or other officers, acting under the directions and authority of the said trustees, may, with their assistants at all time by day, enter into any warehouse, or other place made use of for keeping lintseed or hempseed, and into any place where they shall have reason to suspect that lintseed or hempseed is kept, and may inspect and survey all lintseed and hempseed which shall be found in such places, and shall and may seize

and seize what shall be found bad, &c.

and carry off, or otherwise secure, all bad, short, damaged, or mixt lintseed or hempseed, and such as shall not be clean and good, and detain the same until it shall be legally tried, whether such lintseed or hempseed is by the said former or this present act prohibited to be imported or sold, or exposed to sale, or to be sown; and in case it shall be adjudged, that such seed is prohibited to be imported, sold or exposed to sale, the same shall be forfeited, and the proprietor or proprietors thereof shall be subject and liable to a penalty not exceeding three pounds sterling for every hoghead of such seed, and so in proportion for any less quantity; and in case it shall be adjudged that the seed so seized is prohibited to be sown, and the proprietor or proprietors thereof shall not make it appear that sufficient security hath been given to the said trustees, in manner as aforesaid, for the exporting or making of such seed into oil, or that application hath been made, and sufficient security tendered to the said trustees for that purpose, such seed shall be also forfeited, and the proprietor or proprietors thereof subject and liable to the penalty aforesaid.

Seed seized not to be delivered, until the security.

VII. Provided always, That in all cases where it shall be proved, that application hath been only made for giving sufficient security as aforesaid, such seed so seized and detained shall not be delivered to the proprietor or proprietors thereof, until such security shall be actually entered into, and executed to the satisfaction of the said trustees.

Hemp and flax to be sold 16lb. to the stone.

VIII. And be it further enacted by the authority aforesaid, That all and every person and persons who shall sell or dispose of any hemp or flax, by any other weight than by the stone, consisting of sixteen pounds weight *averdupois*: and also all flax raisers and hecklers who shall not affix their names and places of abode, upon every mat or quantity of flax by them sold, shall respectively for each and every such offence, forfeit a sum not exceeding five pounds sterling.

Flax raisers and hecklers to affix their names upon every mat.

IX. And

IX. And be it further enacted by the authority aforeſaid, Penalty of ſelling flax or hemp, of different quality in the ſame mat. That every perſon who ſhall ſell or expoſe to ſale, in one and the ſame mat or other package, flax or hemp of different quality or fineneſs, ſhall forfeit a ſum not exceeding five pounds ſterling for every ſuch mat or other package.

X. Provided always, That the ſaid penalty ſhall not extend to any perſon ſelling a ton or any larger quantity of hemp or flax to any one perſon at one time. Exception.

XI. And be it further enacted by the authority aforeſaid, Plain linen may be made with flaxen and tow yarn mixed. That it ſhall and may be lawful to work up and manufacture plain linen cloth, with flaxen and tow yarn mixed, by making the woof of ſuch cloth of one of the ſaid yarns, and the warp of the other; but that the yarn which ſhall be uſed for the warp, ſhall be of the ſame quality and fineneſs throughout ſuch warp, and that the yarn which ſhall be uſed for the woof, Penalty if the warp be not of the ſame fineneſs throughout, as alſo the woof. ſhall be of the ſame quality and fineneſs throughout ſuch woof, under the penalty of a ſum not exceeding forty ſhillings, nor leſs than ten ſhillings ſterling, to be paid by the weaver; any thing in the ſaid former act, or this preſent act, to the contrary notwithstanding.

XII. And be it further enacted by the authority aforeſaid, Yarns of different ſorts, &c. may be uſed in manufacturing ſtriped, &c. linens, &c. That it ſhall and may be lawful to make uſe of yarns of different ſorts, qualities and fineneſs, in the working up and manufacturing of ſtriped, chequered and flowered linens, but ſo that each ſort of ſuch yarn ſhall be of equal quality and fineneſs, throughout each piece of ſuch ſtriped, chequered or flowered linens, under the penalty of a ſum not exceeding forty ſhillings, nor leſs than ten ſhillings ſterling, to be paid by the weaver; any thing in the ſaid former act, or this preſent act, contained to the contrary notwithstanding.

XIII. And be it further enacted by the authority aforeſaid, Penalty of ſelling or buying reels not of the dimensions preſcribed; That all and every perſon and perſons who ſhall make, ſell or expoſe to ſale, or ſhall buy one or more reel or reels, which ſhall not be of the ſtandard and dimensions preſcribed by the ſaid former act, ſhall over and above the forfeiting of ſuch reel or reels, forfeit a ſum not exceeding forty ſhillings, nor leſs than ten ſhillings ſterling, for every ſuch reel; and that all and every perſon or perſons who ſhall be convicted of falſe reeling and making up yarn, or expoſing to ſale, ſelling or buying yarn of the produce of *Scotland*, knowing the ſame to be reeled or made up contrary to the directions of the ſaid act, ſhall, over and above the forfeiting of ſuch yarn, forfeit a ſum not exceeding or falſe yarn of the produce of Scotland, ten nor leſs than two ſhillings ſterling, for every ſpindle thereof and ſo proportionally for any leſs quantity.

XIV. Provided always, and be it enacted, That it ſhall and may be lawful to import, ſell, and expoſe to ſale, any foreign yarn, although ſuch yarn ſhall not be reeled and made up, according to the directions of the ſaid act or this act, any thing in the ſaid act or this act contained to the contrary notwithstanding. Foreign yarn excepted.

XV. And be it further enacted by the authority aforeſaid, Maker of That every maker of heckles, wheels, reels, weaving-loom Heckles, &c.

to affix his
name, &c.

and weaving-reeds, shall mark or cause to be marked, with an iron brand, or some other proper instrument, in legible and durable characters, on every heckle, wheel, reel, weaving-loom and weaving-reed by him made, his christian name, surname and place of residence, as also upon each reed, the hundreds of such reed, under the penalty of forfeiting all such heckles, wheels, reels, weaving-loom and weaving-reeds; and also of a sum not exceeding twenty nor less than ten shillings sterling, for each of the said particulars.

Bleachers of
linen.

and masters of
lapping-prefs
to give
security.

Trustees to
grant licences
upon security
given.

Penalty on
unlicensed
bleachers, &c.

Licensed
bleachers to
mark their
names, &c. on
every piece.

Penalty of
lapping up
cloth for sale,
wet, &c.

or not stamp-
ed,

XVI. And be it further enacted by the authority aforesaid, That all persons who shall practise the trade of whitening or bleaching of linen cloth in the piece, so as to bleach or whiten a quantity of cloth, which shall be of the value of five hundred pounds sterling, in the course of one year; and also all persons who shall keep any publick lapping-prefs or lapping house, shall respectively first give sufficient security to the said trustees, to the extent of one hundred pounds sterling for every such bleacher, and of fifty pounds sterling for every keeper or master of such publick lapping-prefs and lapping-house, for their faithful performance of the said trades; and also for making good any damage which may arise to their respective employers, by any neglect or want of skill in the exercise of either of such trades; and the said trustees are hereby required, upon their acceptance of such respective securities, to grant licences under their hands and seals to such persons, empowering them to exercise the said respective trades; and that no fee, reward or gratuity whatsoever, shall be demanded or taken, for or upon account of giving any such security, or of granting such licence: and that if any person or persons shall without such licence bleach or whiten a quantity of cloth, which shall be of the value of five hundred pound sterling, in the course of one year, or shall keep and use any publick lapping-prefs or lapping-house, such person or persons shall respectively forfeit, *videlicet*; such bleacher or whitener, the sum of one hundred pounds sterling; and such master and keeper of a publick lapping-prefs or lapping-house, the sum of fifty pounds sterling, for every year they shall carry on such respective trades without such licence.

XVII. And be it further enacted by the authority aforesaid, That all such licensed bleachers shall mark or stamp, or cause to be marked or stamped, in legible letters on each end of every piece of cloth by them bleached or whitened, their names and places of abode, with the addition of bleacher, under the penalty of a sum not exceeding twenty shillings for every piece of cloth which shall not be so marked.

XVIII. And be it further enacted, That if any person or persons shall fold or lap up any cloth for sale, when wet, or with any chalk, dust, flour or other material, which may be prejudicial to the fabrick or quality of such cloth, or shall lap up any piece of cloth for sale which is not duly stamped in manner prescribed by the said former act or this present act, he or they shall for every such offence, forfeit a sum not exceeding

forty ſhillings, nor leſs than ten ſhillings ſterling, for every ſuch piece of cloth.

XIX. Provided always, and it is hereby enacted, That in all caſes where cloth ſhall through unavoidable accidents be damaged in the weaving or bleaching, by holes or rents made in the ſame, or not be of equal quality, fabrick and goodneſs throughout the piece, in ſuch manner as the ſame is directed to be made, by the ſaid former act or this preſent act, the ſtamp-maſter, or ſtamp-maſters appointed or to be appointed by the ſaid truſtees, may cut ſuch damaged or inſufficient cloth into ſuch pieces as he or they ſhall find to be ſufficient and free of holes and rents, and affix his ſtamps to ſuch cuttings, in the ſame form and manner as by the ſaid act is directed, with regard to whole pieces, returning the damaged or inſufficient cuttings to the owners for their uſe; but that if the ſaid ſtamp-maſter or ſtamp-maſters ſhall not be ſatisfied that the cloth received ſuch damage, or was rendered inſufficient, through unavoidable accidents as aforeſaid, and ſhall have reaſon to believe that the ſame was occaſioned by the negligence or ignorance of the weaver or bleacher, and that the cloth was preſented to be ſtamped with a fraudulent intention to deceive the buyer, he ſhall and may ſeize and detain the ſame; and if upon trial to be had thereupon, it ſhall appear that ſuch damage or inſufficiency was occaſioned by the negligence or ignorance of the weaver or bleacher of ſuch cloth, and not by unavoidable accident, it ſhall be condemned and forfeited in ſuch manner as is preſcribed by the aforeſaid act of his late Majeſty, with reſpect to all inſufficient and unmerchantable cloth which ſhall be offered to be ſtamped.

Stamp-maſters to cut cloths damaged by accident,

and ſtamp the ſame.

Cloth damaged by negligence of bleacher or weaver, and preſented to be ſtamped, to be ſeized,

and forfeited.

XX. And be it further enacted by the authority aforeſaid, That when any unſtamped cloth or unſtatutable yarn ſhall be ſeized in purſuance of the powers contained in the ſaid act, and it ſhall be alledged that ſuch cloth or yarn is of foreign manufacture, the *Onus Probandi* ſhall lie upon the owner of ſuch cloth or yarn, that the ſame was fairly imported from the place where it ſhall be alledged to have been manufactured, or from the next adjacent port, and that the duties for the ſame have been paid; and if the owner of ſuch cloth or yarn ſhall fail in ſuch proof, the cloth or yarn ſo ſeized ſhall be deemed and taken to be of the manufacture of *Scotland*, and be forfeited; and all linen cloth of the manufacture of *Ireland*, imported into, or expoſed to ſale in *Scotland*, which ſhall not have the ſeals or ſtamps of ſome ſtamp maſter appointed by the truſtees for the linen manufacture in *Ireland*, affixed thereon, ſhall be forfeited, and ſhall be ſeized and tried in the ſame manner as is directed by the ſaid act, with regard to ſuch linen of the manufacture of *Scotland* as is expoſed to ſale without being ſtamped.

If cloth or yarn, be ſeized, the proof of its being of foreign manufacture to lie on the owner, &c.

Irish cloth unſtamped to be forfeited.

XXI. And be it further enacted by the authority aforeſaid, That every maker and cutter of ſtamps or ſeals of any kind for ſtamping of cloth, ſhall upon ſome proper part of every ſtamp or ſeal by him made, mark his name and place of abode, and

Makers of ſtamps to mark their names there-

ſhall

on, and take
an impreſſion
in a book, &c.

ſhall take an impreſſion of every ſuch ſeal or ſtamp in a book to be kept for that purpoſe, and ſhall enter in ſuch book, the name and designation of the perſon by whom he was employed, and to what perſon and at what time ſuch ſeal or ſtamp was delivered, under the penalty of fifty pounds ſterling for each of the ſaid offences.

Penalty of
counterfeiting
ſtamps.

XXII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall counterfeit any ſeal or ſtamp made in purſuance of this act, or any ſeal or ſtamp of any ſtamp-maſter appointed by the truſtees for the linen manufacture in *Ireland*, he, ſhe or they ſo counterfeiting the ſame, and being thereof lawfully convicted before the court of juſticiary at *Edinburgh*, or in the circuits, ſhall ſuffer and incur the ſame pains and penalties as perſons by the law of *Scotland*, convicted of forgery.

Makers of
heckles, and
weavers, free
to exerciſe
their trades
in any city, &c.

XXIII. And be it further enacted by the authority aforeſaid, That every maker of heckles, ſpinning-wheels, reels, weaving-looms and weaving-reeds, and alſo every weaver or manufacturer of linen, flaxen or hempen cloth, or heckler or dreſſer of flax or hemp, ſhall and may, and is hereby authorized to exerciſe the ſaid reſpective trades, within any city, town, corporation, burgh or place in *Scotland*, without any lett or hindrance from any perſon or perſons whatſoever, and without being chargeable or charged with payment of any entry-money or other duty whatſoever, for or in reſpect of their following ſuch trade or buſineſs.

Penalty of ob-
ſtructing offi-
cers.

XXIV. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall by force or violence obſtruct, hinder or impede any officer appointed or to be appointed by the ſaid truſtees in the due execution of his duty, under the penalty of forfeiting a ſum not exceeding fifty pounds, nor leſs than five pounds ſterling, for every ſuch offence.

Offences how
to be tried.

XXV. And it is hereby enacted, That all offences againſt this act (except only as to the counterfeiting of ſeals or ſtamps) ſhall and may be heard and determined by the juſtices of peace or magiſtrates of any burghs, or any one of them, within their reſpective jurisdictions, after the ſame form and manner, and with the ſame powers as are preſcribed and mentioned in the aforeſaid act, with regard to offences committed againſt that act, and that all offences againſt this and the aforeſaid act, (except as aforeſaid) ſhall and may be alſo heard and finally determined by any of his Maſteſty's ſheriff or ſtewart deputies, or their ſubſtitutes, ſubject only to an appeal to the lords of juſticiary or their circuit courts.

Penalties to be
paid to the
proſecutor.

XXVI. And it is hereby declared, That all penalties or forfeitures which ſhall be incurred for all the offences againſt this act, ſhall be paid and delivered to the informer or proſecutor, and be adjudged to be payable and deliverable to him.

Limitation of
actions.

XXVII. Provided always, That all actions ſhall be commenced for offences againſt this act, and the ſaid former act, within twelve months after the commiſſion of ſuch offence; and all actions to be commenced for the ſame ſhall ceaſe and determine, and are hereby diſcharged from and after the expiration of eight

full months from the commencement of the suit; and if any appeal, either from the magistrates or justices of the peace to the quarter sessions, or from the sheriff or steward deputies, or their substitutes, to the circuit court, shall not be determined at the expiration of eight months from the commencement of the action, the sentence appealed from shall take place, and be put in execution, as if no appeal had been entered against the said sentence.

XXVIII. And it is hereby enacted and declared by the authority aforesaid, That all sheriff and steward deputies, sheriff and steward substitutes, justices of peace, and magistrates of burghs, shall interpret and put this act, and the said former act in execution, in the most beneficial manner for promoting the linen and hempen manufactures; and if any of the said sheriffs or stewards, justices or magistrates, shall wilfully neglect or refuse to execute the powers and authorities committed to them by this and the said former act, so as that such neglect or refusal shall tend to the discouragement or detriment of the said manufactures, such neglect or refusal shall be and be taken to be a point of dittay, and the person or persons so offending may be prosecuted before and punished by the lords of justiciary, in manner prescribed by the said former act.

Act to be interpreted in the most beneficial manner.

Penalty on magistrates refusing to execute the powers.

XXIX. And be it further enacted by the authority aforesaid, That the comptroller of the customs in *Scotland*, or his deputy, shall, without fee or reward, in the month of *December* yearly, on demand, deliver in to the said trustees an account for the year ending at *Midsummer* preceding, of all flax-seed and hemp-seed, and of all flax and hemp, and also of all pot-ashes, and all linen, flaxen or hempen yarn, and linen cloth, imported into *Scotland*, distinguishing the several ports from whence, and at which the same were imported; as also an account of all flax and hemp, and of all linen, flaxen or hempen yarn, and also of all pot-ashes shipped in and exported from *Scotland*, distinguishing the several ports from and to which the same shall be shipped, and of all linen cloth shipped in and exported from *Scotland*, distinguishing the several ports from and to which the same shall be shipped and exported, and distinguishing the several bounties paid upon the exportation of such cloth.

Comptroller of the customs to deliver a yearly account to the trustees of all flax, cloth, pot-ashes, &c. imported and exported.

XXX. And be it further enacted by the authority aforesaid, That all contracts, securities and agreements entered into and taken by authority of the said trustees for promoting of the said linen and hempen manufactures, or any particular branch thereof, may be entered into, and taken in the name of their secretary for the time being, and his successors in office, for the use of the fund established by the said act for encouraging the linen manufacture in *Scotland*; and all bonds obligations and other securities, for the faithful execution of any office, or for the performance of any other matter or thing relating to the said manufacture, shall and may be taken in the name of the said secretary for the time being, and his successors in office, for the use of the said fund; and all diligences, suits, actions, and processes, may be issued and carried on in consequence of such

Contracts, &c. entered into by the trustees.

Bonds, &c.

and suits, &c. to be in the secretary's name.

contracts, securities and agreements, bonds and obligations, and prosecuted to a final issue, in the name and at the instance of the said secretary for the time being.

Commence-
ment of the
act.

XXXI. And be it further enacted, That this act, and all the authorities, powers, matters and things herein contained, shall commence and take place from the twenty fifth day of *December* one thousand seven hundred and fifty one.

C A P. XXXII.

An act for enlarging the term and powers granted by two acts of parliament, *For repairing the road from Wendover to the town of Buckingham in the county of Bucks;* and also for repairing and widening the road leading from the west end of the said town of Wendover to the end of a lane called Oak-Lane, next the great road called The Oxford road, lying between the town of Beconsfield in the said county of Bucks, and Uxbridge in the county of Middlesex, and that part of the said great road which leads from the west end of the said town of Beconsfield to the river Colne near Uxbridge aforesaid. *The acts 7 Geo. 1. c. 24. and 15 Geo. 2. c. 5. continued for 21 years.*

C A P. XXXIII.

An act for enlarging the term and powers granted by an act of parliament passed in the fourth year of his present Majesty's reign, for repairing the roads leading from the most southern part of Butt Lane, in the parish of Lawton in the county palatine of Chester, to Lawton; and from thence to Henshall's Smithy upon Cranage Green in the said county; and for making the said act more effectual. *The act 4 Geo. 2. c. 3. continued for 21 years.*

C A P. XXXIV.

An act for the better preservation of the game in that part of Great Britain called Scotland.

WHEREAS it is necessary that the laws now in force in Scotland, for regulating the times for killing the game, and for preventing the abuses of carriers, poachers and others carrying and selling the same, should be amended and made more effectual; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled and by the authority of the same, That no person in Scotland shall, upon any pretence whatsoever, kill or destroy any moor fowl, from the first day of *January* to the tenth day of *July*, or any partridge or heath fowl, from the first day of *February* to the twentieth day of *August* in any year.

Moor fowl,
partridge or
heath fowl,
not to be kill-
ed out of sea-
son.

Penalty on
person not
qualified to
kill game,
having any in
his custody.

II. And be it further enacted by the authority aforesaid, That no person whatsoever, not qualified to kill game in Scotland, shall have in his or her custody, or carry at any time of the year, upon any pretence whatsoever, any hares, partridges, pheasants, muir fowl, heath fowl, snipes or quails, without the leave or orders of a qualified person first obtained, for carrying such hares or other game, or for having the same in his or her custody.

Penalty of
transgressing
this act.

III. And be it further enacted by the authority aforesaid, That every person transgressing this act, shall for the first offence
forfeit.

forfeit and pay the ſum of twenty ſhillings ſterling; and for the ſecond and every other ſubſequent offence, the ſum of forty ſhillings ſterling; which reſpective fines ſhall and may be levied by diſtreſs and ſale of the goods of the offender; and in caſe of inſolvency the party offending ſhall ſuffer imprifonment for the ſpace of ſix weeks for the firſt offence, and for the ſpace of three months for the ſecond and every other ſubſequent offence.

IV. And be it further enacted by the authority aforeſaid, ^{Offences how} That all offences againſt this act ſhall and may be enquired into ^{to be tried.} and determined, either by the oath or oaths of one or more credible witneſs or witneſſes, or by the confeſſion or oaths of the parties accuſed, before any two or more of his Maſeſty's juſtices of the peace, or before the ſheriff of the county where the offence ſhall be committed, or where the offender ſhall be found; and that all proſecutions for offences againſt this act ſhall be carried on either at the inſtance of the fiſcal of court, or of any other perſon who will inform or complain.

V. And be it further enacted by the authority aforeſaid, ^{Application of} That one moiety of the forfeitures to be incurred for any offence ^{the forfeitures,} againſt this act ſhall, when recovered, be paid to the informer or proſecutor, and the other moiety ſhall be applied for ſuch public ſervices within the county where the offence ſhall be committed, as the juſtices of the peace or the ſheriff reſpectively ſhall direct, before whom the offender ſhall be convicted.

VI. Provided always, That any perſons aggrieved by the ^{Perſons ag-} judgement of the ſaid juſtices or ſheriff reſpectively, ſhall have ^{grieved may} liberty to appeal to the next general or quarter ſeſſion, in caſe ^{appeal.} ſuch judgement was given by any juſtices of the peace as aforeſaid, or to the lords juſticiary in their next circuit court, or (where there are no circuit courts) to the court of juſticiary at *Edinburgh*, in caſe the judgement complained of was given by the ſheriff of any county; and that the determination of the ſaid general or quarter ſeſſion, or of the ſaid circuit court, ſhall be final and concluſive to all parties.

CAP. XXXV.

An act for repairing the high roads in the county of Edinburgh, to and from the city of Edinburgh; and from Cramond Bridge to the town of Queen's Ferry in the county of Linlithgow. *A private act, 12 Ann. ſt. 2. enlarged and continued for 21 years.*

CAP. XXXVI.

An act for building a bridge over the river Ribble, between the townſhips of Preſton and Penwortham, near a place called the Fiſh-houſe, in the county palatine of Lancaſter.

C A P. XXXVII.

An act for dividing the parifh of Saint Philip and Jacob in the county of Gloucefter and in the city and county of Bristol; and for erecting a church in the new intended parifh.

WHEREAS the inhabitants of that part of the now or late forest or chafe of Kingswood which lies in the parifh of Saint Philip and Jacob in the county of Gloucefter, within the diocefe of Bristol, are very numerous, and at a great diftance from the mother church in the city of Bristol, which faid church is not large enough to contain all the inhabitants: and whereas it is now propofed, for the better accommodation of the faid inhabitants, to erect a new church upon the faid now or late forest or chafe, to be consecrated and ufed for the publick worfhip of God, and the instruction of the inhabitants there in the christian religion, as it is now professed in the church of England, and eftablifhed by the laws of this realm; and to promote fo good a work, Thomas Chefter, efquire, lord of the manor of that part of the faid now or late forest or chafe of Kingswood as lies in the faid parifh of Saint Philip and Jacob in the faid county of Gloucefter, hath propofed to grant a piece of ground commodioufly fituated in the centre of the new intended parifh, for the fite of a church and a church-yard, vicarage houfe and gardens, and for other purpofes relative to the defign; and the right reverend the lord bifhop of Durham (late of Bristol) for promoting fo good a defign, is difpofed and ready to give the fum of four hundred pounds, towards the endowment of the new intended vicarage, for the maintenance of a minifter or vicar, who fhall refide in the vicarage houfe, and in order to obtain the like fum of four hundred pounds to be added thereto, by the governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy, for the further augmentation of the maintenance of fuch minifter or vicar of the faid new intended parifh: and whereas feveral charitable and well-difpofed perfons, fo encourage fo pious an undertaking, have contributed, and are ready to contribute, towards the erecting and finifhing fuch church, and a houfe for the minifter or vicar to refide in, and for the better endowing the fame, in cafe there fhall be an overplus: and whereas the mayor, burgefles and commonalty of the city of Bristol, patrons of the vicarage of the faid parifh church of Saint Philip and Jacob, and the inhabitants of the faid parifh, are willing and defirous that a new church and houfe may be erected as aforefaid, and that a proper diftrict round the intended church may be appointed, in order to feparate the fame from the faid parifh, and make it a diftinct and feparate parifh: and whereas, for preventing the trouble of feparating and dividing the fame by commiffioners, they the faid inhabitants and parifhioners of the parifh of Saint Philip and Jacob aforefaid, have agreed among themfelves on the diftrict of and for the new intended church and parifh, and fettled the limits and bounds thereof, which diftrict fo limited and bounded, is, as herein after is mentioned and expreffed; that is to fay, From a bridge at the foot of Lawrence

Hill

Hill called Lawrence Bridge, along the lane ſouthward called Barton Hill Lane; thence in a direct line along the lane called Little Marſh Lane; thence along by a little ſtream of water, which runs from the ſaid lane into King's Pill; and thence along by the ſaid King's Pill to the river Avon; and along up the ſide of the river Avon, to the utmoſt extent and boundaries of the old pariſh on that ſide thereof; from Saint Lawrence Bridge aforeſaid, weſtward, to a lane called Dod Lane; along this lane, northward, to the bridge called Gano Bridge, in the road leading from Briſtol towards Glouceſter; from thence along the ſaid road directly to Coomb Brook; and thence to the utmoſt extent and boundaries of the old pariſh, eaſtward, quite to the river Avon as aforeſaid: and whereas, for the like purpoſe aforeſaid, they the ſaid inhabitants and pariſhioners have alſo agreed among themſelves, that the piece of ground ſo propoſed to be granted by the ſaid Thomas Cheſter as aforeſaid, and which contains, by eſtimation, two acres one rood and fix perches (be it more or leſs) and is ſituated at or near a certain place called Don John's Croſs; and is bounded on the eaſt ſide by the road leading from Briſtol to Bath; on the weſt, partly by Don John's Croſs, and partly by a garden, now or late in the tenure of Thomas Marſh; on the north, by a road leading from Briſtol to Marſhfield; and on the ſouth, partly by a lane or waſte ground, and partly by a ſmall incloſure, late in the tenure of John Curtis; ſhall be for the ſite of the new intended church, and the church-yard or cemetery, to be belonging to the ſaid pariſh, and a vicarage houſe, with a garden or gardens, and conveniencies for the habitation of the miniſter or vicar for the time being, of the ſame church; therefore, may it pleaſe your Majeſty (at the humble petition of ſundry of the inhabitants of that part of the pariſh of Saint Philip and Jacob, which is ſituated in the county of Glouceſter and dioceſe of Briſtol) that it may be enacted, &c.

Money for the augmentation of the vicarage to be paid, when the church is built and conſecrated. The diſtrict before deſcribed, erected into a diſtinct pariſh. The church to be called by the name of Saint George. William Cary appointed vicar. Corporation declared patrons of the vicarage. Workhouſe to be for the joint uſe of both pariſhes, &c. Power given to the veſtry to make church rates, &c. The church, &c. to be under the juriſdiction of the archbiſhop of Canterbury, biſhop of Briſtol, and archdeacon of Glouceſter. Rights of the crown reſerved.

CAP. XXXVIII.

An act for levying a duty of two pennies Scots, or a fixth part of a penny ſterling, on every Scots pint of ale and bear which ſhall be brewed for ſale, brought into, tapped or ſold within the town of Greenock and baronies of Eaſter and Weſter Greenock, and Finnart, and liberties thereof, in the county of Renfrew, for repairing the harbour of the ſaid town, and for other purpoſes therein mentioned. A duty of exciſe granted to the town for 31 years.

CAP. XXXIX.

An act for the better regulating the navigation of the river Avon, running through the counties of Warwick, Worcester and Gloucester; and for afcertaining the rates of water-carriage upon the faid river.

WHEREAS the river Avon hath for many years paft been made navigable from the river Severn, through part of the counties of Gloucefter and Worcester, to or beyond the borough of Stratford in the county of Warwick, for boats, barges, lighters and other veffels, for the better fupplying the faid feveral counties with pit coal, iron and other goods and commodities, for the publick good of the faid counties, whereby the trade in thofe parts hath been very much enlarged and increafed: and whereas frequent difputes have arifen between the owners and proprietors of the faid navigation, and the perfons navigating thereupon, touching the rates of tonnage of coal, and other goods and merchandize carried thereon; for remedy whereof, and for the afcertaining the rates of fuch tonnage for the future, and to the end and intent the faid river Avon may for ever hereafter be continued and preferved navigable, for the encouragement of trade, and the benefit and advantage of the publick in general; and that the locks, weirs, bucks, winches, turpikes, dams, floodgates and other engines, may for the future be kept in good and fufficient order and repair; and the rents and out-goings for lands cut awky, and other rents, may be raifed, and paid to the perfons intituled to receive the fame: may it please your Majefty that it may be enacted, &c.

River Avon declared to be a free river. Rates of tonnage to be paid for goods carried on the river. No publick wharf to be kept, for unlading goods for fale, between Everfham and Harvington fluices. Royalties, &c. referved. Owner answerable for damage done by his vefel. Rates to be paid by vefels paffing through the fluice at Tewkesbury into the Severn, and through the fluice at Everfham, and at every weir. Proprietors of the navigation to keep the river cleanfed, &c. Juftices to determine differences concerning the navigation, &c. in a fummary way.

CAP. XL.

An act for granting to his Majefty an additional duty upon fpirituos liquors, and upon licences for retailing the fame; and for repealing the act of the twentieth year of his pre-fent Majefty's reign, intituled, An act for granting a duty to his Majefty to be paid by diftillers upon licences to be taken out by them for retailing fpirituos liquors; and for the more effectually reftaining the retailing of diftilled fpirituos liquors; and for allowing a drawback upon the exportation of Britifh made fpirits; and that the parifh of Saint Mary le Bon, in the county of Middlefex, fhall be under the infpection of the bead office of excife.

WHEREAS the immoderate drinking of diftilled fpirituos liquors by perfons of the meaneft and loweft fort, hath of late years

years increased, to the great detriment of the health and morals of the common people; and the same hath in great measure been owing to the number of persons who have obtained licences to retail the same, under pretence of being distillers, and of those who have presumed to retail the same without licence, more especially in the cities of London and Westminster, the borough of Southwark, and other places within the weekly bills of mortality, contrary to the good and wholesome laws heretofore made for preventing thereof: and whereas we your Majesty's dutiful and loyal subjects the commons of Great Britain in parliament assembled, ever attentive to the preservation and health of your Majesty's subjects, have taken this great evil into our serious consideration, and proposed such laws and provisions as appear to us to be most likely to put a stop to the same; but it may so happen, that in consequence of the necessary regulations for that purpose, there may accrue a failure or deficiency in the respective funds to which the duties charged upon spirituous liquors and distillers licences, were appropriated and applicable: now, for the more effectual restraining such abuses, and to the end that such failure or deficiency may be made good, and that the publick faith, so essential to the well-being of this kingdom, may be supported, we do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of July, one thousand seven hundred and fifty one, there shall be raised, levied, collected and paid unto his Majesty, his heirs and successors, for the several kinds of spirituous liquors herein after mentioned, specified and enumerated (over and above all duties, charges and impositions by any former act or acts of parliament thereupon respectively set, rated and imposed) the several rates and duties of excise herein after-mentioned and expressed; that is to say,

Additional
duties on spi-
rituous li-
quors.

For every gallon of low wines, or spirits of the first extraction, made or drawn from any sort of drink or wash, brewed or made from any sort of malt or corn, or from brewers wash or tilts, or any mixture with such brewers wash or tilts, to be paid by the distillers or makers thereof, three halfpence.

For every gallon of strong waters, or *Aqua Vitæ*, made for sale of the materials aforesaid, or any of them, to be paid by the distillers or makers thereof, four pence halfpenny.

For every gallon of low wines, or spirits of the first extraction, made or drawn from cyder, or any sort or kind of *British* materials, except those before-mentioned, or any mixture therewith, to be paid by the distillers or makers thereof, one penny three farthings.

For every gallon of spirits made for sale from cyder, or any sort or kind of *British* materials, except those before-mentioned, to be paid by the distillers or makers thereof, three pence halfpenny.

II. And,

Duties in England to be under the management of the commissioners of excise in England,

and those in Scotland, under like officers there.

Monies arising by the duties to be paid into the exchequer, distinct from other branches of the revenue.

20 G. 2. c. 39.

The duty of 5l. payable by distillers for licences to retail, repealed.

II. And, for the better ascertaining, charging, collecting, raising, levying and securing the rates and duties by this act imposed on the said spirituous liquors, and preventing frauds therein, be it further enacted by the authority aforesaid, That such of the said rates and duties by this act granted, as are charged upon spirituous liquors made, extracted and manufactured in, or imported into *England, Wales*, or the town of *Berwick upon Tweed*, shall be under the receipt and management of the commissioners and officers of his Majesty's revenues of excise in *England* for the time being, and such of the said rates and duties as are imposed by this act upon spirituous liquors, made, extracted and manufactured in, or imported into *Scotland*, shall be under the receipt and management of the commissioners and officers of excise in *Scotland* for the time being; and the said respective commissioners of excise, or the major part of them, have hereby power, by commission under their respective hands and seals, to constitute and appoint under them such officers as shall be necessary in that behalf; and all monies arising by the said duties in *Great Britain*, or any part thereof (the necessary charges of raising and accounting for the same excepted) shall, from time to time, be paid into the receipt of his Majesty's exchequer at *Westminster*, distinctly and apart from all other branches of the publick revenues, subject and liable to the same uses and purposes respectively as the present duties on spirituous liquors and licences are now liable and appropriated unto.

III. And whereas by an act of parliament made and passed in the twentieth year of his Majesty's reign, (intituled, An act for granting a duty to his Majesty to be paid by distillers upon licences taken out by them for retailing spirituous liquors) it is enacted, That from and after the twenty fourth day of June one thousand seven hundred and forty seven, it should be lawful to and for the several distillers within the cities of *London* and *Westminster*, borough of *Southwark*, or weekly bills of mortality, to take out licences from his Majesty's commissioners of excise for retailing spirituous liquors; and the said commissioners were thereby authorized and required to grant such licences to every distiller and distillers within the limits aforesaid, who should apply for the same, upon payment of five pounds for every such licence, which were to be renewed yearly, upon payment of the like sum of five pounds, under certain restrictions in the said recited act mentioned: and whereas the permitting distillers to take out licences for the retailing spirituous liquors, has greatly tended to increase the drinking of spirituous liquors, many of whom have wilfully permitted and suffered the same to be sipped and drank in their shops, contrary to the direction of the said act of the twentieth year of his present Majesty's reign; be it therefore enacted by the authority aforesaid, That from and after the twenty fourth day of June one thousand seven hundred and fifty one, the duty of five pounds payable by every distiller for a licence to sell spirituous liquors by retail, shall cease, determine and be no longer paid; and that no distiller shall have a licence, or be permitted to sell any spirituous liquors, mixed or unmixed, with

with any ingredients, by retail, after the faid twenty fourth day of June one thoufand feven hundred and fifty one.

IV. Provided always, That nothing herein contained fhall extend, or be conftrued to extend, to repeal or vacate the feveral penalties and forfeitures impofed by the faid act of the twentieth year of his faid prefent Majesty's reign. Penalties of the faid act, to be ftill in force.

V. And be it further enacted by the authority aforefaid, That in lieu and ftead of the faid duty of five pounds, granted and directed to be raifed by the faid act made in the twentieth year of his faid prefent Majesty's reign, and which is hereby repealed as aforefaid, there fhall, from and after the twenty fifth day of March one thoufand feven hundred and fifty two, be raifed, levied, collected and paid unto his Majesty, his heirs and fucceffors, an additional duty of twenty fhillings *per annum* for every licence that fhall be taken out by any perfon or perfons for the retailing fpirituuous liquors, purfuant to the directions of the act of parliament made in the fixteenth year of his prefent Majesty's reign (intituled, *An act for repealing certain duties on fpirituuous liquors, and on licences for retailing the fame; and for laying other duties on fpirituuous liquors, and on licences to retail the faid liquors*) and of this act, or either of them; which faid additional duty of twenty fhillings fhall from time to time be paid down in like manner, and at the fame time, and be raifed, levied, collected and paid by the fame means and methods, and under the like penalties, as the duty upon licences to be granted by virtue of the faid act made in the fixteenth year of his prefent Majesty's reign, is directed to be raifed, levied, collected and paid. After 25 March 1752, an additional duty of 20s. to be laid on licences to retail fpirituuous liquors.

16 Geo. 2. c. 8.

VI. And be it further enacted by the authority aforefaid, That all and every the powers, authorities, directions, rules, methods, penalties and forfeitures, claufes, matters and things which in and by an act made in the twelfth year of the reign of King Charles the Second (intituled, *An act for taking away the court of wards and liveries, and tenures in Capite, and by knights fervice, and purveyance, and for fettling a revenue upon his Majesty in lieu thereof*) or by any other law now in force relating to his Majesty's revenue of excife upon beer, ale or other liquors are provided, fettled or eftablifhed, for fecuring, enforcing, managing, raifing, levying, collecting, mitigating or recovering, adjudging or afcertaining the duties or penalties thereby granted, and for preventing, detecting and punifhing frauds relating thereto (not otherwife altered by this act) fhall be exercifed, practifed, applied, ufed, impofed, levied, recovered and put in execution, for the fecuring, enforcing, managing, raifing, levying, collecting, mitigating, adjudging, afcertaining, recovering and paying the duties and penalties hereby granted, and for preventing, detecting and punifhing frauds relating thereto, as fully and effectually, to all intents and purpofes, as if all and every the faid powers, authorities, rules, directions, methods, penalties and forfeitures, claufes, matters and things were particularly repeated, and again enacted in the body of this prefent act. Powers, &c. given by any law of excife, to be in force with regard to thefe duties.

VII. And

16 Geo. 2. c. 8.

VII. *And whereas by an act made in the fixteenth year of his Majesty's reign, it is enacted, That no licence shall be granted to any person or persons whatsoever for selling by retail any spirituous liquors or strong waters whatsoever, except to such persons only who shall keep taverns, victualling-houses, inns, coffee-houses or ale-houses; and that if any such licences shall be granted to any other persons than as aforesaid, the same are thereby declared void to all intents and purposes: and it is thereby also enacted, That if any person or persons shall presume or offer to retail any of the said spirituous liquors, without taking out such licence as is therein mentioned, and renewing the same yearly, in manner therein mentioned, he, she or they shall respectively forfeit and lose the sum of ten pounds for each offence; and in case such person or persons shall refuse or neglect to pay the said sum of ten pounds, the same being lawfully demanded, it shall and may be lawful for any one or more justice or justices of the peace of any county, riding, division, city or liberty, upon information upon oath being made before him or them, of such refusal or neglect, by warrant under his or their hand and seal, or hands and seals, to commit such person or persons to the house of correction for the county, riding, division, city or liberty wherein such person or persons shall reside, there to remain and be kept to hard labour for the space of two months, to be reckoned from the day of the said commitment; and the person or persons shall not be discharged, until, he, she or they shall have paid the said sum of ten pounds, or until the full expiration of the said two months; and that nothing in the said act shall extend, or be construed to enable any person or persons to sell any spirituous liquors or strong waters by retail, unless such person or persons be first licensed to sell ale or spirituous liquors, by two or more of his Majesty's justices of the peace for the county, riding, division, city or liberty wherein such person or persons shall sell the said liquors, under the hands and seals of the said justices: and whereas by one other act made in the seventeenth year of his Majesty's reign, it is enacted, That in case where a licence shall have been granted for retailing spirituous liquors, to any person who shall, at the time of granting such licence, keep a tavern, victualling-house, inn, coffee-house or ale-house, if such person so licensed, shall afterwards, during the time of continuing such licence, exercise the trade of a distiller, grocer or chandler, or keep a brandy shop or shops for sale of any spirituous liquors, the licence granted in every such case shall be void; and such persons retailing spirituous liquors afterwards shall forfeit ten pounds for every such offence, notwithstanding such licence so obtained as aforesaid; and that no licence for retailing spirituous liquors shall authorize and empower any person, to whom the same may be granted, to sell such spirituous liquors in any other place, except in such houses or places thereunto belonging, wherein he, she or they shall inhabit and dwell, at the time of granting such licence: and whereas it may be doubted, whether the said penalty of ten pounds can be recovered within the limits of the head office of excise in London, before a justice or justices of peace: be it hereby declared and enacted, That the said ten pounds penalty may be recovered; and any person retailing distilled spirituous liquors without a licence, within the limits of the said head office, may be*

17 Geo. 2. c. 17.

The penalty of
10l. on un-
licensed retail-
ers, may be
recovered be-

of his Majesty's reign, it is enacted, That in case where a licence shall have been granted for retailing spirituous liquors, to any person who shall, at the time of granting such licence, keep a tavern, victualling-house, inn, coffee-house or ale-house, if such person so licensed, shall afterwards, during the time of continuing such licence, exercise the trade of a distiller, grocer or chandler, or keep a brandy shop or shops for sale of any spirituous liquors, the licence granted in every such case shall be void; and such persons retailing spirituous liquors afterwards shall forfeit ten pounds for every such offence, notwithstanding such licence so obtained as aforesaid; and that no licence for retailing spirituous liquors shall authorize and empower any person, to whom the same may be granted, to sell such spirituous liquors in any other place, except in such houses or places thereunto belonging, wherein he, she or they shall inhabit and dwell, at the time of granting such licence: and whereas it may be doubted, whether the said penalty of ten pounds can be recovered within the limits of the head office of excise in London, before a justice or justices of peace: be it hereby declared and enacted, That the said ten pounds penalty may be recovered; and any person retailing distilled spirituous liquors without a licence, within the limits of the said head office, may be

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convicted before any juſtice of the peace for the city, county or fore any ju-
 liberty where the offence hath been or ſhall be committed, as itice.
 well as before the commiſſioners of exciſe; and that ſuch penal- Penalty not
 ty ſhall not in any caſe, either by the ſaid commiſſioners or ju- to be reduced
 ſtices of the peace, be mitigated or reduced below the ſum of below 5l.
 five pounds.

VIII. And for the further reſtriction of ſuch licences, and None to be li-
 the granting thereof, be it enacted by the authority aforeſaid, censed to re-
 That no licence for the ſelling by retail of ſpirituſous liquors tail, but ſuch
 ſhall be granted, within the limits of the head office of exciſe in as pay to
 London, but to ſuch as ſhall occupy a tenement or tenements of church and
 the yearly value of ten pounds or upwards, and for which they poor.
 ſhall accordingly be rated and pay in the pariſh rates; nor to any
 perſon in any other part of the kingdom, where there are rates
 to church and poor, but to ſuch as ſhall be aſſeſſed and pay to
 the church and poor in the ſeveral pariſhes and places in which
 they ſhall be reſpectively licenſed; and that no licence ſhall be
 of any avail to any perſon not ſo qualified, or for any longer
 time than the perſon ſo licenſed ſhall be qualified as aforeſaid,
 but ſhall be abſolutely void.

IX. And be it enacted by the authority aforeſaid, That if any Penalty on
 perſon not authorized by law, ſhall retail any ſpirituſous liquors, unlicenſed re-
 ſuch perſon ſhall not only be ſubject to the penalties now in being tailers, for the
 for ſuch offence of retailing ſpirituſous liquors without licence, but firſt offence;
 all the diſtilled ſpirituſous liquors that ſhall then, or at any time or
 times afterwards, within ſix calendar months after conviction
 for ſuch offence, be found in the cuſtody of ſuch offender or in
 the houſe, lodgings, ſhop or warehouse where ſuch offence ſhall
 be committed, or any court, yard, ground or place occupied
 therewith, whether then in the occupation of ſuch offender or
 not, or in the occupation of any other perſon whomſoever, ſhall
 and may be ſeized, by warrant of the ſaid commiſſioners, or of
 any juſtice or juſtices of the peace, within their reſpective ju-
 riſdictions; and the ſame ſhall, by virtue of ſuch warrant, forth-
 with, on finding the ſame, be ſtaved or otherwiſe deſtroyed; for
 which purpoſe any peace or pariſh officer, authorized by ſuch
 warrant as aforeſaid, ſhall have power at any time within the
 ſpace of ſix months after conviction as aforeſaid, to enter ſuch
 places and break open doors, if not opened on demand; and if Penalty of a
 any perſon who hath been or hereafter ſhall be convicted of any ſecond offence;
 ſuch offence, ſhall, after ſuch conviction, again offend in like
 manner, and ſhall thereof be lawfully convicted as aforeſaid,
 then it ſhall and may be lawful to and for the commiſſioners or
 juſtices reſpectively, before whom ſuch offender ſhall be con-
 victed of ſuch ſubſequent offence, as well to inflict the penalties
 by any former law to be inflicted for ſuch offence, as alſo to
 commit ſuch offender to the houſe of correction, there to be
 kept to hard labour, for any time not exceeding three months,
 and alſo (if they ſhall think fit) to order ſuch offender to be
 whipt; and in caſe any perſon who ſhall have been convicted of third offence
 ſuch ſubſequent offence as aforeſaid, ſhall offend again in like felony,
 manner;

and the offender to be transported.

Commissioners of excise, and justices, may grant warrants for offences.

Distiller, &c. selling, &c. liquors, to be unlawfully retailed, or to unlicensed retailers, to forfeit 10 l. and treble the value.

Application of the penalty.

Retailer discovering and convicting the distiller, intitled to his share of the penalty, and indemnified.

manner, such further offence shall be deemed felony; and the offender being indicted, and lawfully convicted thereof, shall suffer as in cases of felony, and may, by the justices of the peace of the county or place where such felony shall be committed, at their general or quarter sessions (who are hereby empowered to hear and determine such felony) be ordered to be transported to any of his Majesty's plantations, for any time not exceeding seven years.

X. And for the better discovery and punishment of such offenders as aforesaid, be it enacted by the authority aforesaid, That it shall and may be lawful for the commissioners of excise, and justices of the peace, within their respective jurisdictions, or any one or more of such justices, upon oath made before him or them, of any offence committed against this act, or any other law in force for restraining or regulating the retailing of distilled spirituous liquors, to grant their warrant to any of the peace officers, or other parish officers, of the parish or place where such offence shall be sworn to have been committed, to enter and search the house, lodgings, shop, warehouse, cellars and other places where such offences shall be sworn to be committed, or in the occupation of the person sworn to be guilty thereof, and the officer or officers, person or persons, authorized by such warrant, shall and may enter such houses, lodgings, shops, warehouses and other places, and break open the doors thereof, in case they be not forthwith opened upon demand, and search for and seize all such distilled spirituous liquors as they shall there find, and detain the same until the matter of the said offence shall be heard and determined; and in case the offender be convicted of such offence, the liquors so found shall be forthwith staved and destroyed as aforesaid, and if such person shall not be convicted, then the same shall be restored.

XI. And be it enacted by the authority aforesaid, That if any distiller or other person shall knowingly sell or deliver, or cause to be sold and delivered by his servants or others, directly or indirectly, any quantity of distilled spirituous liquors to any person, to the end that the same may be unlawfully retailed, or unto any unlicensed retailer of spirituous liquors, such distiller or other person shall forfeit and lose the sum of ten pounds, and also treble the value of all such spirituous liquors so sold or delivered; one moiety thereof to the King, his heirs and successors, and the other moiety to such person or persons as will sue for the same, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*, by action of debt, bill, plaint or information, wherein no essoin, privilege, protection, wager of law, or more than one imparlance shall be granted or allowed; and if any person guilty of retailing distilled spirituous liquors shall discover the distiller or other person who shall have knowingly supplied him with such liquors as aforesaid, and shall prosecute such distiller or other person for the same, without fraud or wilful delay, until he be convicted thereof, such prosecutor shall not only be intitled to his said share of

of the penalty, but shall also be indemnified against all penalties and forfeitures incurred by him before the commencement of such his prosecution, for selling spirituous liquors without licence.

XII. And be it further enacted by the authority aforesaid, That from and after the said first day of *July* one thousand seven hundred and fifty one, no person or persons whatsoever, shall be intitled unto or maintain any cause, action or suit for, or recover either in law or equity, any sum or sums of money, debt or demands whatsoever, for or on account of any spirituous liquors, unless such debt shall have really been and *bona fide* contracted at one time, to the amount of twenty shillings or upwards; nor shall any particular article or item in any account or demand for distilled spirituous liquors be allowed or maintained, where the liquors delivered at one time, and mentioned in such article or item, shall not amount to the full value of twenty shillings at the least, and that without fraud or covin; and where no part of the liquors so sold or delivered shall have been returned or agreed to be returned directly or indirectly; and in case any retailer of spirituous liquors, with or without a licence, shall take or receive any pawn or pledge from any person or persons whatsoever, by way of security for the payment of any sum or sums of money owing by such person or persons for such spirituous liquors or strong waters, every such person or persons offending herein shall forfeit and lose the sum of forty shillings for each and every pawn or pledge so taken in or received by him or them, to be levied and recovered by warrant under the hand and seal of one justice of the peace where the offence is committed; and that one moiety thereof shall be to the use of the poor of the parish where such offence is committed, and the other moiety to the informer or informers; and the person or persons to whom any such pawn or pledge doth or shall belong, shall have the same remedy for recovering such pawn, or the value thereof, as if it had never been pledged.

No debt under 20 s. for spirituous liquors, contracted at one time, recoverable, &c.

Retailer taking a pledge for liquors, to forfeit 40 s.

Application of the penalty.

Owner may recover his pledge.

XIII. And be it further enacted by the authority aforesaid, That no licence shall be granted for the retailing of spirituous liquors within any gaol, prison, house of correction, workhouse, or house of entertainment for any parish poor, and that all licences granted or to be granted, contrary to this provision, shall be void and of no effect from and after the said first day of *July* one thousand seven hundred and fifty one; and if any gaoler, keeper or officer of any gaol, prison or house of correction, or any governor, master or officer of any workhouse or house for the entertainment of any parish poor, shall sell, use, lend or give away, or knowingly permit or suffer any spirituous liquors or strong waters to be sold, used, lent or given away, in any such gaols, prisons or houses of correction, or brought into the same; other than and except such spirituous liquors or strong waters as shall be prescribed or given by the prescription and direction of a regular physician, surgeon or apothecary, and to be applied in pursuance of such prescription, from the shop of some regular

No licence to be granted for retailing spirituous liquors within gaols, houses of correction or work-houses. Keeper, &c. suffering spirituous liquors to be used there, &c.

apothecary, every ſuch gaoler, keeper, governor, maſter or other officer, ſhall, for every ſuch offence, forfeit and loſe the ſum of one hundred pounds; one moiety thereof to his Maſteſty, and the other moiety thereof, with full coſts of ſuit, to ſuch perſon or perſons as will ſue for the ſame, in any of his Maſteſty's courts of record at *Weſtminſter*, or in the court of *Exchequer* in *Scotland*, by action of debt, bill, plaint or information; wherein no eſſoin, privilege, protection, wager of law, or more than one imparlance ſhall be granted or allowed; and in caſe any ſuch gaoler or other officer, being convicted thereof as aforeſaid, ſhall again offend in like manner, and be thereof a ſecond time lawfully convicted, ſuch ſecond offence ſhall be deemed a forfeiture of his office.

and for a ſecond offence, to forfeit his office.

Juſtices, upon information that liquors are kept, &c. in ſuch houſes, may enter and ſearch; or impower any conſtable ſo to do,

and ſeize and ſeize and ſeize the ſame.

Perſons carrying, liquors into ſuch houſes,

to be taken before a juſtice;

and on conviction, to be committed, or pay a ſum not exceeding 10l. nor leſs than 10l.

XIV. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *July* one thouſand ſeven hundred and fifty one, it ſhall and may be lawful for his Maſteſty's juſtices of the peace, or any one of them, upon information upon oath That any ſuch ſpirituſous liquors or ſtrong waters are kept and diſpoſed of in any ſuch gaol, priſon, houſe of correction, workhouſe or houſe of entertainment for pariſh poor, in *Great Britain*, to enter and ſearch, or to authorize and impower any conſtable, headborough or other peace officer of the pariſh where any ſuch places are ſituated, by warrant under his hand and ſeal to enter and ſearch any ſuch gaol, priſon, houſe of correction, work-houſe or houſe of entertainment for pariſh poor; and in caſe any ſuch ſpirituſous liquors or ſtrong waters ſhall be found therein (except ſuch as are directed to be uſed medicinally as aforeſaid) it ſhall and may be lawful for ſuch conſtable, headborough or overſeer of the poor, to ſeize ſuch ſpirituſous liquors or ſtrong waters, and to cauſe the ſame to be forthwith ſtaved and deſtroyed.

XV. And be it enacted by the authority aforeſaid, That no perſon ſhall carry or bring, or attempt or endeavour to carry or bring any diſtilled ſpirituſous liquors (except to be uſed in the way of medicine as herein before mentioned) into any gaol, priſon, houſe of correction, work-houſe or houſe of entertainment for pariſh poor; and if any perſon or perſons ſhall offend therein, it ſhall be lawful for the gaoler, keeper, maſter or chief officer of ſuch gaol, priſon, houſe of correction, work-houſe, or houſe of entertainment for pariſh poor, or his or their ſervants, to apprehend ſuch perſon or perſons, and to carry him, her or them before a juſtice of the peace of the county, diſtrict, city, town corporate or liberty, where ſuch gaol, priſon, houſe of correction, work-houſe or houſe of entertainment for pariſh poor is ſituate (who is hereby impowered to hear and determine ſuch offence in a ſummary way, and to adminiſter an oath to the witneſſes) and if by the oath of one credible witneſs or otherwiſe, he ſhall convict ſuch perſon or perſons of ſuch offence, he ſhall forthwith commit ſuch offender or offenders to priſon, or to the houſe of correction, there to be kept in cuſtody for any time not exceeding three months, without bail or mainprize, unleſs ſuch

such offenders respectively shall immediately pay down such sum or sums of money, not exceeding twenty pounds, and not less than ten pounds, as the justice shall impose upon such offenders severally, as their fines; to be paid, one moiety to the informer, Application and the other moiety to the use of the poor of such gaol, prison, of the forfeit- house of correction, work-house or house of entertainment for ture. parish poor.

XVI. And be it further enacted by the authority aforesaid, That every gaoler, keeper, master and chief officer of every gaol, prison, house of correction, work-house and house of entertainment for any parish poor, shall on or before the first day of *August* one thousand seven hundred and fifty one, procure one or more copy or copies of the three preceding clauses, to be A copy of the three preceding clauses, to be printed or fairly written, and hung up in one of the most publick places of his gaol, prison, house of correction, work-house or house of entertainment for parish poor, and renew the same from time to time, so that it may be always kept fair and legible, &c. be kept hung up in gaols, on pain of forfeiting the sum of forty shillings for every wilful under penalty default, to be levied by warrant of any justice of the peace of of 40 s. the county, division, city, town corporate or liberty where such gaol, prison, house of correction, work-house or house of entertainment for parish poor, shall be situate, to be granted on conviction of such default, in a summary way, before such justice, by the oath of one or more credible witness or witnesses (which oath such justice is hereby impowered to administer) and it shall and may be lawful for every justice of the peace, to enter into any gaol, prison, house of correction, work-house or house of Justice may demand a sight thereof; and if the same shall not be forthwith shewn to him so hung up be not fair, in some publick place, fair and legible as aforesaid, such justice may convict the gaoler, &c. shall and may immediately convict such gaoler, keeper, master or officer of such default, and so, from time to time, as often as he shall think fit; one moiety of the said penalty to be paid Application of to the informer, and the other moiety (or the whole if there be the penalty. no informer) to the use of the poor of such gaol, prison, house of correction, work-house or house of entertainment for parish poor.

XVII. And be it further enacted by the authority aforesaid, Justices to That all and every his Majesty's justices of the peace within the transmit cities of *London* and *Westminster*, and borough of *Southwark*, or monthly, to within the limits of the head office of excise in *London*, shall the clerk of the peace, a once in every month transmit to the clerk of the peace for the county where they act, a certificate of all persons convicted be- persons con- fore them respectively, for any offences committed against this victed, or any former act or acts of parliament, relating to spirituous liquors or strong waters, or for licensing the retailers thereof; who is hereby authorized and required to keep and enter the same among the publick records of the court of the quarter- to be entered among the re- sessions of the counties respectively, where such conviction shall cords, &c. be so certified; which certificates shall be evidence upon any in-

formation directed by this or any other act relating to spirituous liquors.

8 & 9 W. 3.
c. 19.

XVIII. *And whereas by an act of parliament made and passed in the eighth and ninth years of the reign of his majesty King William the Third, (intituled, An act for repealing a clause in a former act relating to party guiles, and for the better preventing frauds and abuses of brewers, and others chargeable with the duties of excise;) it was (amongst other things) enacted, That no common distiller or maker of low wines, spirits or strong waters for sale or exportation, should at any time after the tenth day of April one thousand six hundred and ninety seven, erect or set up any tun, cask, washbatch, copper, still or other vessel for the brewing, making or keeping any worts, wash, low wines, spirits or strong waters, nor alter or enlarge any tun, cask, washbatch, copper, still or other vessel already erected or set up, nor should have or keep any private or concealed tun, cask, washbatch, copper, still or other vessel, nor any private or concealed warehouse, storehouse, cellar or other place for the brewing, making, laying or keeping any worts, wash, low wines, spirits or strong waters, without first giving notice thereof at the next office of excise, within the limits or jurisdiction whereof he or they did or should inhabit, upon pain of forfeiting for every tun, cask, washbatch, copper, still, warehouse, storehouse, cellar, or other place, so erected or set up, altered or enlarged, kept private or concealed, the sum of twenty pounds; and that all and every person or persons in whose occupation any house, out-house or other place whatsoever, was or should be, where any such private or concealed tun, cask, washbatch, copper, still, warehouse, storehouse or cellar should be discovered or found, should also forfeit and lose the sum of fifty pounds: and whereas the number of casks and other vessels used by distillers being very great, and the officers not being impowered to mark the same, so as to be enabled to distinguish the entered vessels from those that are not entered, it is impossible for the gauger to prove the particular vessel unentered, and consequently to convict the offender, agreeable to the intent and meaning of the aforesaid act: and whereas distillers at present are not confined to keep their after-runnings or feints from the second extraction in any particular vessels, which makes it impossible for the gauger to keep an exact stock of the said after-runnings or feints: and whereas some distillers taking the opportunity of the officers absence, do frequently charge their stills, either in the whole or in part, with wash privately brought in, and when the officers find the still so charged, the distillers alledge, by way of excuse, that such stills are charged with after-runnings or feints, which the officers are not able to disprove, by reason of their not having an exact account of the said after-runnings or feints; in which cases the revenue is greatly defrauded by the distillers obtaining relief of the duty wherewith they are charged, upon their complaints of an overcharge: therefore to remedy such defects, and the better to prevent such frauds; be it enacted by the authority aforesaid, That from and after the said first day of July one thousand seven hundred and fifty one, every distiller or maker of low wines or spirits for sale or exportation, shall within ten days after the said first day of July one thousand seven*

Distiller to
make entry of
all vessels for
distillation,
&c.

seven

seven hundred and fifty one, and all persons who shall after the said first day of *July* one thousand seven hundred and fifty one, become distillers or makers of low wines or spirits for sale or exportation, shall ten days before he, she or they distil or make any spirituous liquors, make a true and particular entry in writing, at the next office of excise, within the limits whereof his, her or their workhouse, stillhouse, storehouse, warehouse or other place used for distilling or keeping wash, low wines or spirits, is or shall be situate, of all and every still, copper, tun, washbatch, cask or other vessel which he, she or they shall make use of for the brewing, distilling, working, making, laying or keeping any worts, wash, low wines, spirits or strong waters, and also of the casks or vessels which every such distiller or maker of low wines or spirits for sale or exportation as aforesaid, shall make use of, for the brewing, holding or keeping of the after-runnings or feints from the second extraction, which shall from time to time be drawn from every such still, (which said last-mentioned casks or vessels shall not at any one time exceed two in number, at any such distillers or makers of low wines or spirits for sale or exportation) and also of all such new utensils as such distillers or makers of low wines or spirits for sale or exportation shall make use of for the purposes aforesaid, on pain that every such distiller or maker of low wines or spirits for sale or exportation, shall forfeit and lose for every such still, copper, tun, washbatch, cask or other vessel herein before mentioned, which shall be made use of and not entered as aforesaid, the sum of fifty pounds; and every such distiller or maker of low wines or spirits for sale or exportation as aforesaid, is hereby required to shew to the gauger or officer of excise, who surveys his, her or their workhouse, stillhouse, storehouse, warehouse or other place used for distilling or keeping wash, low wines or spirits, every such still, copper, tun, washbatch, cask or other vessel so entered, and he the said officer is hereby required to mark the same with a particular, distinct and durable mark; and every still, copper, tun, washbatch, cask, and any vessel which shall at any time or times be used by any such distiller or maker of low wines and spirits for sale or exportation, for any of the purposes aforesaid, without being so shewn or marked, shall be deemed a vessel or utensil of which no entry has been made; and if any person or persons whatsoever, shall at any time or times hereafter, after such still, copper, tun, washbatch, cask or other vessel, shall have been so marked by such officer as aforesaid, rub out or deface any such mark so fixed upon any such still, copper, tun, washbatch, cask or other vessel by such officer as aforesaid, he, she or they so offending, shall for every such offence forfeit and lose the sum of twenty pounds.

Vessels for brewing or keeping the after runnings or feints of the second extraction, not to exceed two;

Penalty.

Distiller to shew the gauger every still and vessel

XIX. And in order to enable the gauger the better to detect such frauds, by having proper proof to lay before the respective courts where such and other offences against the laws relating to these duties shall be heard and determined; be it further enacted, That from and after the said first day of *July* one thousand

The gauger may take a sample of low

wines and
spirits, paying
for the same.

Penalty of ob-
structing offi-
cers therein.

Distiller to
give notice be-
fore he re-
ceives any fer-
mented wash;

under penalty
of 50*l*.

Drawback of
the duties al-
lowed on ex-
portation of
spirits made
in Great Bri-
tain.

Anno viceſimo quarto GEORGII II. C. 40: [1751,

ſand ſeven hundred and fifty-one, it ſhall and may be lawful for any gauger or officer of exciſe at any time or times to take a ſample of ſuch low wines or ſpirits, and of ſeints and ſpent waſh, paying for ſuch ſpirits or low wines, after the rate of ten ſhillings *per* gallon; and for the ſaid ſeints and ſpent waſh, after the rate of one ſhilling *per* gallon; and in caſe any ſuch diſtiller or maker of low wines or ſpirits for ſale or exportation, or any workman or ſervant belonging to him, her or them ſhall reſuſe to permit ſuch gauger or officer to take ſuch ſamples as aforeſaid, or ſhall any ways hinder or obſtruct him or them in taking ſuch ſamples, ſuch diſtiller or maker of low wines or ſpirits for ſale or exportation, ſhall for every ſuch offence reſpectively forfeit and loſe the ſum of fifty pounds.

XX. And whereas diſtillers and makers of low wines or ſpirits for ſale or exportation, very frequently take in waſh, when privately prepared, and charge their ſtills in the officers abſence, and by theſe means run great quantities of waſh, low wines and ſpirits; the better to prevent ſuch frauds for the future, be it further enacted, That from and after the ſaid firſt day of July one thouſand ſeven hundred and fifty-one, every diſtiller or maker of low wines or ſpirits for ſale or exportation, within the limits of the weekly bills of mortality, ſhall, twenty-four hours at leaſt, and in other parts of *Great Britain*, forty-eight hours at leaſt, before he, ſhe or they receive any quantity of wine, cyder, ſugar, water or any kind of fermented waſh whatſoever, into his, her or their cuſtody, give notice to the gauger or officer of exciſe, who ſurveys his, her or their workhouſe, of the particular quantity of ſuch wine, cyder, ſugar, water or any kind of fermented waſh, and the ſpecies thereof, and of the time when he, ſhe or they ſhall intend to receive the ſame into his, her or their cuſtody, on pain of forfeiting and loſing for every offence in not giving ſuch notice, the ſum of fifty pounds.

XXI. And, for the encouragement of the exportation of ſpirits, drawn or made in *Great Britain*, from the materials aforeſaid, or any of them; be it enacted by the authority aforeſaid, That from and after the ſaid firſt day of July one thouſand ſeven hundred and fifty-one, there ſhall be a drawback or allowance of the ſeveral and reſpective duties charged by this act, on ſuch ſpirits ſo drawn or made in *Great Britain*, which ſhall be exported to parts beyond the ſeas; and upon oath being made before any two or more of the commiſſioners of exciſe, or juſtices of the peace for the county or place from whence any ſuch ſpirits are intended to be exported, that the duties of the ſame are duly entered and paid, and that the ſame are exported for merchandize to be ſpent beyond the ſeas; and upon producing a certificate under the hands of the officers of exciſe for the port or place where ſuch ſpirits were ſhipped, of the quantities ſo ſhipped, and that the ſame were ſhipped in the preſence of ſuch officers; the diſtiller or diſtillers, or other perſon or perſons exporting the ſame, ſhall be allowed or paid back by the commiſſioners of exciſe, or their collector, for the port or place where ſuch

ſuch ſpirits ſhall be ſhipped off, the ſeveral duties charged thereupon by this act accordingly.

XXII. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of July one thouſand ſeven hundred and fifty-one, no perſon or perſons whatſoever, being a common brewer of ale or beer, or innkeeper, diſtiller or other ſeller of or dealer in any kind of ſpirituſous liquors, or who is, or are or ſhall be intereſted in any of the ſaid trades or buſineſſes, ſhall, during ſuch time as he or they ſhall be ſuch common brewer, innkeeper, diſtiller or other ſeller of or dealer in ſpirituſous liquors, or intereſted in any of the ſaid trades or buſineſſes, be capable or have any power to act, or ſhall be directly or indirectly concerned in acting as a juſtice of the peace, in any matter or thing whatſoever, which ſhall any ways concern the execution of the powers or authorities given or granted by any act or acts of parliament, in any wiſe relating to diſtillers or makers of low wines, ſpirits or ſtrong waters for ſale, or to the duty or duties impoſed upon low wines, ſpirits or ſtrong waters, or any other kind of ſpirituſous liquors whatſoever, or to the granting licences to the retailers of ſpirituſous liquors.

XXIII. And whereas it has been doubted whether the ſeveral powers, authorities, directions, rules, methods, penalties, puniſhments and forfeitures, claules, matters and things, which were provided, ſettled, directed, eſtabliſhed or impoſed by any act or acts of parliament made ſince the ſixth year of his preſent Maſeſty's reign, relating to the ſelling ſpirituſous liquors without licence, might be lawfully exerciſed, impoſed, inflicted and recovered againſt any perſon for retailing ſpirituſous liquors, in leſs quantity than two gallons, in regard the quantity of ſpirituſous liquors which might be lawfully ſold without licence, without ſubjecting the ſeller thereof to be deemed a retailer of ſpirituſous liquors, is different in the ſaid act of the ſixteenth year of his preſent Maſeſty's reign, from that in the ſeventeenth year of his ſaid Maſeſty's reign, (intituled, An act for granting to his Maſeſty the ſurplus or remainder of the monies ariſen or to ariſe by the duties on ſpirituſous liquors, granted by an act of the laſt ſeſſion of parliament; and for explaining and amending the ſaid act, in relation to the retailers of ſuch liquors; and for eſtabliſhing an agreement with the united company of merchants of England, trading to the Eaſt Indies;) now in order to put an end to ſuch doubts, be it enacted and declared, That all and every the powers, authorities, directions, rules, methods, penalties, puniſhments and forfeitures, claules, matters and things, provided, ſettled, directed, eſtabliſhed or impoſed, by any act or acts of parliament made ſince the ſixth year of his preſent Maſeſty's reign, relating to the ſelling ſpirituſous liquors without licence, (except the forfeiture or penalty of one hundred pounds impoſed by an act of the ninth year of his preſent Maſeſty's reign, intituled, An act for laying a duty upon the retailers of ſpirituſous liquors; and for licensing the retailers thereof,) may for the future, and from the time of the commencement of the ſaid act of parliament, made in the ſeventeenth year of his preſent Maſeſty's

Brewers, innkeepers, diſtillers or dealers in ſpirits, &c. not to act as juſtices relating to the diſtillery.

The powers and penalties, &c. provided by any acts made ſince 6 Geo. 2. relating to the ſelling ſpirituſous liquors, Exception.

to be in force. reign, might have been lawfully exerciſed, practiſed, applied, uſed, impoſed, inflicted, levied and recovered, in regard to all and every perſon and perſons that have offended, or ſhall offend againſt the ſaid acts of the ſixteenth and ſeventeenth years of his ſaid Maſteſty's reign, or this act, or any or either of them, in like manner as they might have been, in relation to perſons offending againſt the ſaid ſeveral and reſpective acts, or any of them, made ſince the ſixth year of his ſaid preſent Maſteſty's reign.

9 Geo. 2. c. 23.

XXIV. And whereas by a clauſe in an act of parliament paſſed in the ninth year of his preſent Maſteſty, (intituled, An act for laying a duty upon the retailers of ſpirituſous liquors, and for licenſing the retailers thereof) it is enacted, That nothing in the ſame act contained ſhould extend to enable any perſon to ſell any ſpirituſous liquors or ſtrong waters by retail, unleſs ſuch perſon be firſt licenſed by two or more juſtices of the peace for the county or place where ſuch perſon ſhould ſell the ſaid liquors, under the hands and ſeals of the ſaid juſtices; for which licence or licences the ſum of two ſhillings and ſix pence, and no more, ſhould be paid to the clerks of ſuch juſtices, and no fee or ſum of money, or other reward whatſoever, to the clerk or clerks of the peace for entering the ſame, or on any other account, on pain of forfeiting five pounds, in caſe any of the ſaid juſtices clerks, or any clerk of the peace, ſhould aſk or receive any fee, other than as above, or account of ſuch licences: and whereas by another clauſe in an act of parliament paſſed in the ſixteenth year of the reign of his preſent Maſteſty (intituled, An act for repealing certain duties on ſpirituſous liquors, and on licences for retailing the ſame; and for laying other duties on ſpirituſous liquors, and on licences to retail the ſaid liquors) the ſaid firſt-recited act is in part repealed; and ſome doubts having ariſen, whether the ſaid firſt-recited clauſe, limiting the fees for licences to two ſhillings and ſix pence each, be repealed or not, the clerks of juſtices of the peace, in many parts of this kingdom, have taken larger fees for ſuch licences, contrary to the intention of the ſaid act: and whereas no particular method is preſcribed in the ſame act for the recovery of the before-mentioned penalty of five pounds: now to put an end to all doubts concerning the ſaid firſt-recited clauſe, and the method of ſuing for and recovering the ſaid penalty therein contained, be it declared and enacted by the authority aforeſaid, That the ſaid recited clauſe in the aforeſaid act of the ninth year of his preſent Maſteſty's reign, reſtraining or intending to reſtrain the clerks of juſtices of the peace for aſking or receiving more than two ſhillings and ſix pence for each licence therein mentioned, is now and ſhall, from henceforth, be and remain in full force.

The clauſe in 9 Geo. 2. reſtraining the fees of juſtices clerks for licences, to be in force.

Penalties how to be recovered.

XXV. And be it further enacted by the authority aforeſaid, That all penalties and forfeitures by the ſaid firſt-recited clauſe impoſed, ſhall or may be ſued for, levied and recovered by action of debt, bill, plaint or information, in any of his Maſteſty's courts of record at Weſtmiſter, or by indictment at the aſſizes, or at the general or quarter ſeſſions of the peace of the county or place where ſuch offence ſhall be committed, for the uſe of the

the perfon or perfons who fhall fue or profecute for the fame ; in which fuits no effoin, wager of law, or more than one im-
parlance fhall be allowed.

XXVI. Provided nevertheless, That nothing in this act con-
tained fhall extend to charge with any of the duties directed to
be paid, levied or received as aforefaid, any fpirits made or dif-
tilled from malt, and retailed and confumed within that part of
Great Britain called *Scotland*, which fpirits are commonly called
and known by the name of *Aqua Vitæ*, in that part of the king-
dom, or to fubject the makers, fellers and retailers thereof,
within that part of the kingdom, to take fuch licences as are
herein before directed.

Aqua Vitæ
made in Scot-
land exempt-
ed.

XXVII. And whereas by an act of parliament made and paffed
in the twelfth year of the reign of his late Majefty King Charles
the fecond, (intituled, An act for taking away the court of wards
and liveries, and tenures in Capite, and by knights fervice, and
purveyance ; and for fettling a revenue upon his Majefty in lieu
thereof) it is amongst other things enacted, That all parts of the ci-
ties of London and Weftminfter, and the borough of Southwark,
and the feveral fuburbs thereof, and parifhes within the weekly bills
of mortality, fhall be under the immediate care, infpection and man-
agement of the head office of excife in London : and whereas fince the
paffing of the faid act, the parifh of faint Mary le Bon in the county
of Middlefex, is greatly increafed in buildings and inhabitants, and
is contiguous to the parifhes within the faid bills of mortality ; be it
therefore further enacted by the authority aforefaid, That the
faid parifh of faint Mary le Bon fhall, from and after the faid firft
day of July one thoufand feven hundred and fifty-one, be deem-
ed and taken, and is hereby declared to be under the immedi-
ate care, infpection and management of the faid head office of
excife ; any law, cuftom or uſage to the contrary thereof in any
wife notwithstanding.

The parifh of
Saint Mary le
Bon to be un-
der the inſpec-
tion of the
head office of
excife.

XXVIII. And it is further enacted by the authority aforefaid,
That if any perfons, to the number of five or more, fhall from
and after the faid firft day of July one thoufand feven hundred
and fifty-one, in a tumultuous and riotous manner afſemble
themselves to refcue any offenders againſt this or any other act,
relating to ſpirituous liquors or ſtrong waters, or for licensing
the retailers thereof, or to affault, beat or wound any perſon or
perfons who fhall have given or be about to give any informa-
tion againſt, or fhall have difcovered or given evidence againſt,
or fhall feize or bring to juſtice any perſon or perfons offending
againſt this or any of the faid former acts, or forceably to op-
poſe the execution of any of the powers given by this act, that
then, all and every perſon or perfons ſo afſembling, their aiders
and abettors, being thereof lawfully convicted, ſhall be, and be
adjudged to be guilty of felony ; and every ſuch felon ſhall be
ſubject and liable to the like pains and penalties as in caſes of
felony ; and the courts by and before whom he, ſhe or they ſhall
be convicted, ſhall have full power and authority of transporting
ſuch felon and felons for the ſpace of ſeven years, to any of
his

Perſons afſem-
bling to refcue
offenders, or
to beat infor-
mers, &c.

to be guilty of
felony,
and transport-
ed for 7 years,

- his Majesty's colonies and plantations in *America*, upon the like terms and conditions as are given, directed and enacted by an act made in the fourth year of the reign of his late majesty King George the First (intituled, *An act for the further preventing robbery, burglary and other felonies; and for the more effectual transportation of felons, and unlawful exporters of wool;*) and by an act made in the sixth year of the reign of his said late majesty King George the First (intituled, *An act for the further preventing robbery, burglary and other felonies; and for the more effectual transportation of felons.*)

Penalties how
to be recovered.

XXIX. And be it further enacted and declared by the authority aforesaid, That all fines, penalties and forfeitures imposed by this or any other act relating to the duties of excise, or other duties under the management of the commissioners of excise, shall be sued for, levied, recovered or mitigated by such ways, means and methods as any fine, penalty or forfeiture is or may be recovered or mitigated by any law or laws of excise (not otherwise directed by this act) or by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*; and that one moiety of every such fine, penalty or forfeiture shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform or sue for the same.

Limitation of
actions.

XXX. And it is hereby enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued or prosecuted for any thing by him or them done or executed in pursuance of or by colour of this act, or of any matter or thing in this act contained, such action or prosecution shall be commenced within the space of three months next after the offence shall be committed, and shall be laid in the proper county; and such person or persons shall and may plead the general issue, and give the special matter in evidence for his and their defence; and if upon trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or discontinue his suit or prosecution, or if judgment be given for the defendant or defendants, upon demurrer or otherwise; then such defendant or defendants shall have treble costs to him or them awarded against the plaintiff or plaintiffs.

General issue.

Treble costs.

Persons sued,
intituled to the
benefit of

11 Geo. 2. c. 26.

XXXI. And be it further enacted by the authority aforesaid, That all persons sued or prosecuted for any thing done in or relating to the execution of this present act, shall be intituled to all the privileges and benefits for their legal defence that are provided or enacted in or by an act of parliament made in the eleventh year of his Majesty's reign (intituled, *An act for the enforcing the execution of an act made in the ninth year of his Majesty's reign, intituled, An act for laying a duty on the retailers of spirituous liquors, and for licensing the retailers thereof*) for persons employed in the execution of the said act.

Where the penalty on conviction of unlawful retail-

XXXII. And for the encouragement of those who shall discover offences committed against this act, be it enacted by the authority aforesaid, That from and after the said first day of

July

July one thousand seven hundred and fifty one, where any person or persons shall be lawfully convicted of any offence in unlawfully retailing distilled spirituous liquors, and the pecuniary penalty hereby, or by any other act of parliament inflicted for such offence, shall not be paid, and cannot be levied by the space of one month next ensuing the time of such conviction, it shall and may be lawful for the commissioners of excise in England and Scotland respectively, to cause such reward as they shall think fit, not exceeding five pounds each, to be paid to the several and respective persons who shall appear to them to be intitled thereto as informers, out of any monies in their hands arising by any penalties or forfeitures for the like offences as aforesaid.

ers, shall not be paid within 1 month, the commissioners of excise to reward the informers.

C A P. XLI.

An act for the more effectual securing the duties upon tobacco.

WHEREAS, notwithstanding the laws heretofore made relating to the importation of tobacco into Great Britain from his Majesty's plantations in America, and for securing the duties due and payable thereon upon the importation thereof into Great Britain, and also with regard to the exportation of tobacco from Great Britain to foreign parts, many great frauds and abuses are frequently contrived, committed and carried on by several ill-designing persons concerned in the different branches of business and trade in tobacco, to the great prejudice of his Majesty's revenue, and to the great loss and discouragement of the fair traders, so that it is become necessary that some further provision should be made for the more effectual preventing the same for the future; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty fifth day of March one thousand seven hundred and fifty two, when any ship or vessel whatsoever shall have taken in tobacco at any port or place whatsoever, within his Majesty's plantations in America, in order to convey the same from thence into Great Britain (except such tobacco as shall be water-born before the said twenty fifth day of March one thousand seven hundred and fifty two) the collector or comptroller, or other chief officer, or any two of them, employed in the management of the customs, at such port or other place, where such ship or vessel shall have taken in tobacco, shall, at and upon the clearing of every such ship or vessel by the proper officer or officers of the customs appointed for that purpose, deliver to the master, commander or other person taking charge of any such ship or vessel, a manifest or content in writing, under his and their hands and seals of office, which shall contain a true account of all the tobacco laden on board every such ship or vessel, with the number of hogheads, casks, chests and other packages containing the same, and the quantity of the tobacco contained in each particular hoghead, cask, chest and other pack-

Vessels taking in tobacco at the plantations for Great Britain, officer of the customs to give the master a manifest with the number and tare of the packages, &c.

and transmit
a duplicate to
the commissi-
oners of the
customs,

under penalty
of 200 l.

Master to de-
liver to the
collector in
Great Britain
the manifest,

under penalty
of 100 l.

Land-waiter
not to permit
tobacco to be
landed till he
has entered
the manifest,
&c. of the se-
veral pack-
ages, under
penalty of 50 l.

age, together with the marks and numbers set on each and every hoghead, cask, chest, or other package thereof, with the care of each particular hoghead, cask, chest or other package in which such tobacco shall be contained; and also shall, at and upon the clearing of every such ship or vessel as aforesaid, immediately transmit a duplicate of such manifest or content to the respective commissioners of the customs in *Great Britain*: and any collector, comptroller or other chief officer or officers of the customs at any port or place in his Majesty's plantations in *America*, who shall, at and upon the clearing of any ship or vessel having tobacco laden on board her as aforesaid, neglect or refuse to deliver to the master, commander or other person taking charge of such ship or vessel, such manifest or content as is herein before specified and directed; or who shall not, at and upon the clearing any such ship or vessel, immediately transmit a duplicate of such manifest or content to the said respective commissioners of the customs in *Great Britain*, shall forfeit and lose the sum of two hundred pounds, to be recovered in any of his Majesty's courts of record at *Westminster*, or in the court of admiralty in his Majesty's plantations where such offence shall be committed.

II. And be it further enacted by the authority aforesaid, That every master, commander or other person or persons taking charge of any ship or vessel having tobacco laden on board as aforesaid, at any port or place whatsoever in any of his Majesty's plantations in *America* as aforesaid, shall, upon his arrival at his port of discharge in *Great Britain*, and at the time that he makes his report of his ship at the custom-house, deliver to the collector of the customs at the said port (who is hereby required and directed to deliver the same to the land-waiters appointed for the delivery of such ship or vessel) the manifest or content of the lading of his ship or vessel which he received from the collector, comptroller or other chief officer of the customs at the port or other place in the plantations where he took in his lading; and if any master, commander or other person or persons taking charge of any such ship or vessel, shall neglect or refuse to deliver such manifest or content to the collector of the customs, at the time he makes his report of his ship at the custom-house at the port of his discharge, he and they shall forfeit and lose the sum of one hundred pounds.

III. And be it further enacted by the authority aforesaid, That the land-waiters appointed for the delivery of every ship or vessel arriving at any port or place in *Great Britain* from any of his Majesty's plantations in *America*, having tobacco on board her, shall not suffer any part of the tobacco on board any ship or vessel to be landed, until they have from, and agreeable to the manifest delivered to them by the collector, entered into their respective books (given them by the directions of the commissioners of his Majesty's customs for keeping accounts of goods by them delivered or suffered to be delivered from on board such ships) the said several and respective manifests, marks, numbers, weights,

weights, tares and contents of the feveral hogheads, casks, chefts and other packages, under the penalty of the forfeiture of fifty pounds; and the faid land-waiters are hereby authorized and required, upon the landing of any fuch tobacco, to caufe fuch landing mark to be fixed and fet upon every hoghead, cask, cheft or other package whatfoever containing the fame, as fhall be directed by the refpective commiffioners of the customs aforefaid; and the faid land-waiters are hereby alfo required to enter every fuch landing mark in their feveral books aforefaid, on pain of forfeiting the fum of fifty pounds.

Landing mark to be fet upon every hoghead, &c.

and an entry to be made thereof.

IV. And be it further enacted by the authority aforefaid, That from and after the twenty ninth day of *September* one thoufand feven hundred and fifty one no debenture fhall be made forth for any tobacco imported into *Great Britain* after the faid twenty ninth day of *September* one thoufand feven hundred and fifty one, or any drawback be paid or allowed for the fame, when exported or entered outwards for exportation to any part or parts beyond the feas, unlefs the fame and every part thereof be shipped and exported from the very fame port or place at which fuch identical tobacco was at firft originally imported into *Great Britain*, and no other; and alfo unlefs the fame identical tobacco, if unmanufactured, and every part thereof, be shipped and exported in the original package, with the fame marks, in and with which it was at firft imported into *Great Britain*, and no other, without any alteration whatfoever being made in the package (except fuch as fhall be occafioned by neceffary cooperage for the repair of the faid package) or any other tobacco being put therein, or any part of the tobacco being removed or taken out of the package in which it was at firft imported (except only ten pounds weight of tobacco, which fhall be allowed to be taken out of each hoghead, cask, cafe or other package after the fame is weighed at the importation, as is now the practice; and if any perfon or perfons whatfoever fhall enter any tobacco for exportation at any other port or place than that at which the fame identical tobacco was imported, or in any other cask or package than the fame in which the fame unmanufactured tobacco was originally imported, or without the fame marks, all fuch tobacco fhall be forfeited, and no drawback thereupon fhall be paid; or if any fhall be paid, the fame fhall be repaid, and the perfon who entered, or caufed the fame to be entered, fhall forfeit the fum of two hundred pounds; and whoever fhall knowingly export beyond the feas any hoghead or other package of tobacco, out of which more than ten pounds weight of tobacco has been taken for famples, he, ſhe and they fo offending fhall forfeit and lofe the fum of twenty pounds for every fuch hoghead or other package of tobacco fo exported.

No debenture or drawback allowed on exportation, unlefs the tobacco be shipped from the port at which it was imported, and in the original package, if unmanufactured, &c.

Penalty of entering tobacco at any other port or in other package, &c.

V. Provided nevertheless, and it is hereby declared and enacted, That when any unmanufactured tobacco is imported in hogheads or casks into *Great Britain* from any of his Majeſty's plantations in *America*, if upon the landing and examination thereof it fhall appear, that the tobacco contained in any of fuch

Where unmanufactured tobacco ſhall be found damaged upon landing,

what is found
may be put
into the same
hogheads, and
the land-wait-
er is to enter
the same in
his books, &c.

and debentures and drawback may be allowed for the same.]

Exporter to
endorse on the
cocquet, the
marks, num-
bers, and
weight of the
tobacco when
first imported,
&c.

hogheads or casks is so much damaged, that by cutting off the damaged part thereof (for which no duty is paid) the sound tobacco remaining in any of such hogheads (for which duty is to be paid) is under the weight of four hundred and fifty pounds, then and in such case it shall and may be lawful for the importer or importers thereof, in the presence of the land-waiters appointed to deliver the ship in which the same was imported, to cause all such sound tobacco to be put together in one or more of the same hogheads out of which the damaged tobacco was taken; and the said land-waiters, or other proper officers, are hereby directed and required to enter into their respective books the true and exact weight of all such sound tobacco put into each and every such hoghead, with the several and respective marks and numbers set on each and every such hoghead; and also to note and specify in their books, that such hogheads were packed and refilled in their presence; and all and every such hogheads of unmanufactured tobacco shall and may be exported from the same ports, and no other, at which they were originally imported; and debentures shall be made out, and the drawback be paid for the tobacco therein contained (provided the quantity of the tobacco in each such hoghead amounts to four hundred and twenty five pounds weight or more) in the same manner and form, to all intents and purposes, as if the package of such tobacco had not been altered; any thing herein before contained to the contrary thereof in any wise notwithstanding.

VI. And be it further enacted by the authority aforesaid, That from and after the said twenty-ninth day of *September* one thousand seven hundred and fifty one, all and every person and persons who shall enter any unmanufactured tobacco outwards, except unmanufactured tobacco imported before the said twenty ninth day of *September* one thousand seven hundred and fifty one, at any port or place in *Great Britain*, in order to be shipped and exported in any ship or vessel whatsoever to any part or parts beyond the seas, shall, before the same or any part thereof is laden on board any ship or vessel to be exported, endorse upon the cocquet and bill (to be delivered to the searcher or searchers belonging to the customs, and appointed to examine tobacco shipped for exportation) in a fair, distinct and legible manner, the plantation or manifest mark and number, which was upon each and every hoghead, cask, chest or other package of such tobacco, at the time when the same was first imported into *Great Britain*; and also the landing mark and number which was placed and set upon each and every hoghead, cask, chest or other package thereof, when the same was first landed in *Great Britain*, together with the exact weight that each and every hoghead, cask, chest or other package, with the tobacco therein contained, was of at the time of its being landed in *Great Britain*; and also the particular mark and number set upon each hoghead, cask, chest or other package thereof by the exporter or exporters thereof at the time the same shall be

be brought to the water-side to be shipped for exportation, together with the then weight which each particular hoghead, cask, chest or other package, and the tobacco therein contained, shall be of at the time it is so entered for exportation; and the searcher shall not admit any cocquet unless marked as aforesaid; and all and every exporter and exporters of tobacco shall also, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, write off, and they are hereby required and directed to write off the weight of each hoghead, cask, chest or other package of unmanufactured tobacco by him, her or them exported from any port of *Great Britain* to any part or parts beyond the seas, from the identical and particular entry made of each and every such hoghead, chest or other package of such unmanufactured tobacco, at the time when it was first imported into *Great Britain*; and if any person or persons whatsoever, who after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall enter outwards for exportation to any part or parts beyond the seas from any port or ports in *Great Britain*, any unmanufactured tobacco, shall neglect or refuse to endorse upon the cocquet and bill for the said tobacco delivered to the searchers, in a fair, distinct and legible manner, all and each and every of the several and respective marks, numbers and weights herein beforementioned and described, and in the manner and form the same is hereby required and directed to be done, or who shall neglect or refuse to write off the weight of each hoghead, cask, chest or other package of unmanufactured tobacco by him, her or them exported, from the identical entry made thereof at the time when the same was first imported into *Great Britain*, agreeable to the directions herein before given for that purpose; all and each and every such person and persons offending in each or either of these cases shall forfeit and lose the sum of five pounds for every hoghead, cask, chest or other package of such unmanufactured tobacco for each and every such offence or offences, to be sued for, recovered, levied and divided in the manner herein after directed; any law, statute or usage to the contrary in any wise notwithstanding; and no drawback or debenture for or on account of the exportation thereof shall be made out, granted or paid.

and to write off the weight of each hoghead, &c. exported from the entry made at importation,

under penalty of 5 l. for every hoghead

and no drawback or debenture to be granted.

VII. And it is hereby further enacted by the authority aforesaid, That all and every person and persons who, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall import any tobacco into *Great Britain* from any of his Majesty's plantations in *America*, and who shall in any wise manufacture the same, or any part thereof, upon his, her or their own account or accounts, or cause or procure the same, or any part thereof, to be manufactured for his, her or their own account or accounts, by any other person or persons, shall (before the same, or any part thereof, be manufactured by the importer or importers to any other person or persons to be manufactured for the account of such importer or persons)

Importer manufacturing tobacco, to deliver to the officers at the port of importation, the marks, numbers, and weights, &c. of the hogheads and the ship's name, &c.

Account to
be figned by
the importer
and manufac-
turer, &c.

and importer
to write off
from the
entry the
weight, &c.

Penalty of
neglect, or
giving a falfe
account.

Importer
within 14
days after the
delivery of
tobacco to the
purchaser,

importers) deliver, and they are hereby directed and required to deliver, to the collector or other chief officer of the customs at the port or place where fuch tobacco was imported, an account in writing, containing the plantation or manifeft mark and number of every hogfhead, cask, cheft, or other package of tobacco intended to be manufactured, with the name of the fhip or fhips in which the fame was imported, and the time when, and alfo the landing mark and number fet on each hogfhead, cask, cheft, or other package, at the time of their importation into *Great Britain*; and alfo the exact weight which all, and each, and every of fuch hogfheads, casks, chefts, or other packages, and the tobacco therein contained, were of at the time of their being firft landed in *Great Britain*, and the exact weight the fame were of at the time of delivery thereof to be manufactured; which account fhall be figned by fuch importer or importers, or one of his, her or their known fervants or agents, and alfo by fuch perfon or perfons to whom fuch tobacco is delivered to be manufactured; or one of his, her or their known fervants or agents, with their feveral and refpective names and places of abode; and fuch importer and importers fhall, at the time of their delivering in fuch accounts as aforefaid, write off from the entries made at the time and times the tobacco contained in fuch account was imported, and againft each and every particular fhip in which the fame was imported, the weight of each particular hogfhead, cask, cheft, or other package, contained in fuch account of tobacco intended to be manufactured as aforefaid, in the very fame manner and form as if the fame tobacco had been delivered for exportation; and in cafe any importer or importers of tobacco fhall neglect to give in fuch account as aforefaid, at the time, and in fuch manner and form in all refpects, to all intents and purpofes, as is herein before directed and required; or in cafe fuch account fhall, at the time the fame is given in, or at any time afterwards, appear to be falfe and fraudulent in any refpect whatfoever, he, fhe or they knowingly offending in any or either of the cafes aforefaid, fhall forfeit and lofe the fum of thirty pounds for every hogfhead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account fhall knowingly be given; and the perfon or perfons to whom fuch tobacco fhall have been delivered to be manufactured, neglecting by him, her or themfelves, or by his, her or their known fervant or agent, to fign fuch account as aforefaid, or knowingly figning any fraudulent account, fhall alfo forfeit and lofe the fum of thirty pounds for every fuch hogfhead or other package of tobacco, of which no account, or for which a fraudulent account is knowingly given.

VIII. And it is hereby further enacted by the authority aforefaid, That all and every perfon and perfons who, from and after the faid twenty ninth day of *September* one thoufand feven hundred and fifty one, fhall import any tobacco into *Great Britain* from any of his Majefty's plantations in *America*, and who
fell

sell or deliver the same; or any part thereof, to any person or persons whatsoever, shall, within fourteen days after the delivery thereof out of his custody, to the purchaser or purchasers thereof, or their order, give and deliver to the collector or other chief officer of the customs at the port or place where such tobacco was imported, an account in writing, containing the plantation or manifest mark and number of every hoghead, cask, chest or other package of tobacco, so sold or delivered, with the name of the ship or ships in which the same was imported, and times when, and also the landing mark and number set on each hoghead, cask, chest or other package, at the time of their importation into *Great Britain*, with the exact weight which all, and each, and every such hogheads, casks, chests or other packages, and the tobacco, therein contained were of, at the time of their being first landed in *Great Britain*; and also the exact weight thereof, at the time of their sale or delivery to the purchaser or purchasers thereof; which account shall be signed by such importer or importers, or one of his, her or their known servants or agents, and also by such person or persons to whom such tobacco is sold or delivered, or one of his, her or their known servants or agents, with their several and respective names and places of abode; and such importer and importers shall, at the time of their delivering in such accounts as afore-^{to give the officer an account of the marks, numbers, and weights, &c. of every hoghead, sold, and the ship's name, &c.} said, write off from the entries made at the time and times the tobacco contained in such account was imported, and against each and every particular ship in which the same was imported, the weight of each particular hoghead, cask, chest or other package of tobacco contained in such account, in the same manner and form as if the said tobacco had been delivered for exportation; and in case any importer or importers of tobacco shall neglect to give in such account as afore-^{Account to be signed by the importer and purchaser.} said, at the time, and in such manner and form in all respects, and to all intents and purposes, as herein before directed and required, or in case such account shall at the time the same is given in, or at any time afterwards, appear to be false or fraudulent in any respect whatsoever, he, she or they knowingly offending in any or either of the cases afore-^{Importer to write off from the entry the weight, &c.} said, shall forfeit and lose the sum of thirty pounds for every hoghead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account shall be knowingly given; and the person or persons to whom, or to whose order such tobacco shall have been sold or delivered, neglecting by him, her or themselves, or his, her or their known servant or agent, to sign such account as afore-^{Penalty of neglect, or giving a false account.} said, or knowingly signing any fraudulent account, shall also forfeit and lose the sum of thirty pounds for every such hoghead or other package of tobacco, of which no account, or for which a fraudulent account is knowingly given.

IX. And be it further enacted by the authority afore-^{No tobacco, or tobacco stalks, above 24 lb. nor snuff above 10 lb.} said, That from and after the twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco or tobacco stalks, exceeding twenty four pounds weight, nor any snuff exceeding

to be carried
by land from
any port of
importation,
unleſs in
manner here-
in directed.

ceeding ten pounds weight, ſhall be in any form or manner whatſoever removed, carried, or conveyed by land from any port or place of importation in *Great Britain*, to any other port or place within this kingdom, unleſs in the manner herein after directed; that is to ſay, if it is unmanufactured tobacco, which is to be carried by land as aforeſaid, the ſame ſhall not be conveyed, removed, or paſs without a certificate being firſt had and obtained from the collector and comptroller, or other chief officers at the port or place where ſuch tobacco was imported, together with the importer's oath thereto (in caſe ſuch importer ſhall apply for the ſame) that the duties thereof were paid or ſecured at the importation, and by whom, and the time when, and in what ſhip or veſſel, ſhips or veſſels, the ſame and every part thereof was imported; and in caſe the perſon applying for the ſame, be a purchaſer from the importer, then on oath of ſuch purchaſer, atteſting the marks and numbers of the identical hogſhead or hogſheads ſo purchaſed, or out of which the ſaid tobacco was taken, and from whom purchaſed, and the time when; and if it is tobacco ſtalks or ſnuff, or other manufactured tobacco which is to be carried by land as aforeſaid, the ſame ſhall not be conveyed, removed, or paſs without a certificate, and oath of the importer (in caſe the importer applies for the ſame) being firſt had and obtained as aforeſaid, that ſuch ſtalks were ſtripped or ſeparated, or ſuch ſnuff or other manufactured tobacco was made from one or more hogſhead or hogſheads of tobacco, for which the duties were by him paid or ſecured, at the time of importation; and in caſe the perſon applying for ſuch certificate be a purchaſer, ſuch purchaſer ſhall make oath, that ſuch ſtalks were ſtripped or ſeparated, or ſuch ſnuff or other manufactured tobacco, was made from one or more hogſhead or hogſheads of tobacco, which had been delivered and received according to the directions of this act; which ſaid ſeveral certificates ſuch officer and officers are hereby required and directed to grant, and after writing the ſame off their books, to deliver to all and every perſon or perſons, who ſhall apply to him or them for the ſame, without any fee or reward whatſoever for ſuch certificates or oaths, on pain of forfeiting the ſum of ten pounds for every ſuch offence.

Officer to
grant certi-
ficates

on penalty of
10 l.

Before re-
moving
ſuch tobacco,
the proprie-
tor to inſert
on the back
of the certi-
ficate, the
package,
marks, num-
bers, weight,
and ſpecies,

X. And it is hereby enacted, That before any ſuch tobacco, tobacco ſtalks or ſnuff for which ſuch certificate is granted, ſhall be removed or carried by land as aforeſaid, the proprietor, factor or agent thereof ſhall deſcribe and inſert on the back of ſuch certificate, in a fair and legible manner, the names of each particular package in which ſuch goods are contained, together with the particular marks and numbers ſet on each package, and alſo the true and exact weight of each particular ſpecies of goods contained in each particular package, and the place from whence the ſame are to be delivered, and to which they are to be carried and conveyed, and by whom, and the name of the perſon to whom the goods are conſigned; and ſuch proprietor, factor or agent ſhall ſubſcribe his, her or their name or names, and

and make oath to the truth thereof; and the certificate so granted shall exprefs the number of days it shall continue in force, and shall accompany the goods to fuch place to which they are to be carried and conveyed, and upon its coming to fuch place, the goods, the person or persons receiving the fame, or to whom the goods belong, shall caufe fuch certificate to be delivered to the chief officer of the customs, if any fuch there be; and in cafe there be no officer of the customs, then to the officer of the excife of the division whereunto fuch goods are carried and conveyed; and fuch officer is hereby directed to examine the fame with the goods, and if they agree therewith, the goods may be taken away and difpofed of by the person or persons to whom of right they belong or appertain, and fuch officer is thereupon to enter fuch certificate diftinctly in a book to be kept by him for that purpose; and the officer of customs or excife receiving fuch certificate shall from time to time tranfmit an account of the fame to the officer to be appointed by the high treafurer or commissioners of the treafury for keeping fuch accounts.

XI. And be it further enacted, That the officers of the customs who shall grant fuch original certificates at the port or place of importation, shall once in every month tranfmit duplicates thereof to the person to be appointed by the high treafurer or commissioners of the treafury for keeping the accounts herein after mentioned.

XII. And be it further enacted by the authority aforefaid, That if any tobacco or tobacco stalks exceeding twenty four pounds weight, or any ftuff exceeding ten pounds weight, shall, from and after the faid twenty ninth day of *September* one thoufand feven hundred and fifty one, be found removing by land from the port or place of importation, without having one or other of the certificates herein before directed, all fuch tobacco, tobacco stalks and ftuff, and the casks, chefts, cafes or other package containing the fame, together with the horfes, cattle, carts, waggons and all other carriages whatsoever, employed or in any wife made ufe of in the removing or carriage or conveyance of fuch tobacco, tobacco stalks and ftuff, or any or either of them, shall be forfeited and loft, and shall and may be fued for and profecuted by any officer or officers of the customs or excife in the manner herein after directed; and the carrier or other person employed or entrusted in the removing, carrying, or conveying fuch goods, or any of them, shall, befides the lofs of his cattle and carriages, alfo be committed to the county gaol for the fpace of one month, by any juftice of the peace for the county where the offence is committed, or the offender shall be found; and if any person or persons whatsoever shall counterfeit, forge, eraze, or in any wife alter any fuch certificate or duplicate thereof, as herein before is mentioned and defcribed, or shall caufe or procure the fame, or either of them to be counterfeited, forged, erazed, or altered in any refpect, he, ſhe, or they fo offending ſhall forfeit and pay the ſum of fifty pounds for every ſuch offence, to be ſued for, recovered, and to make oath thereof; certificate to accompany the goods, and to be delivered to the officer where the goods are conveyed, &c. and an account to be tranfmitted to the officer appointed by the treafury.

Officer granting certificates, to tranfmit duplicates monthly to the officer appointed by the treafury.

Tobacco or ftuff, above a certain weight, found removing without a certificate, to be forfeited, with the horfes and carriages;

and the carrier to be committed.

Penalty of counterfeiting a certificate.

covered, levied, and divided in the manner as is herein after expressed.

No tobacco,
&c. to be
shipped coast-
wise, until
entry made,

and if unma-
nufactured, to
be in the ori-
ginal package,

with a certifi-
cate of the
duties being
paid;

and if ma-
nufactured,
with a certifi-
cate that the
duties were
paid for the
tobacco of
which the
same was ma-
nufactured.

Officers to
grant such
certificates
gratis, under
penalty of 10 l.

and the pro-
prietor to in-
sert on the
back of the
certificate the
packages,
marks, num-
bers, weight
and species.

XIII. And it is hereby further enacted by the authority afore-
said, That from and after the said twenty ninth day of *Septem-
ber* one thousand seven hundred and fifty one, no tobacco, to-
bacco stalks or snuffs shall be shipped or laden on board any
ship or vessel whatsoever, to be carried by water from any port
or place whatsoever in *Great Britain*, to any other port or place
whatsoever in *Great Britain*, until the same, and every part
thereof, be first entered at the custom-house at the port where
or nearest to the place where such goods shall be shipped and
laden; and if it is tobacco unmanufactured which is to be car-
ried by water as aforeaid, the same shall not be shipped or la-
den on board any ship or vessel whatsoever, to be carried by wa-
ter as aforeaid, but in the original package in which it was im-
ported, preserving the same marks and numbers, nor without
a certificate being first had and obtained from the collector and
comptroller or other chief officer of the customs at the port or
place where such tobacco was imported in *Great Britain*, that the
duties thereof were paid or secured at the importation, and by
whom, and the time when, and in what ship or vessel, ships or
vessels, the same and every part thereof was imported; and if it
is tobacco stalks or snuff, or other manufactured tobacco, which
is to be carried by water as aforeaid, the same shall not be ship-
ped or laden on board any ship or vessel whatsoever to be car-
ried by water as aforeaid, without a certificate being first had
and obtained from the collector and comptroller or other chief
officer of the customs at the port or place where the tobacco
was imported in *Great Britain*, from which such stalks were
stripped or separated, or such snuff was made or manufactured,
that the duties were paid or secured for such tobacco at the im-
portation thereof; which said several certificates such officer or
officers are hereby required and directed to grant and deliver to
all and every person and persons being the importer or im-
porters of such tobacco, or their known agents or servants, who
shall apply to him or them for the same, without any fee or re-
ward whatsoever, on pain of forfeiting the sum of ten pounds
for every such offence.

XIV. And it is hereby further enacted, That before any such
tobacco, tobacco stalks or snuff for which such certificate is
granted, shall be shipped or laden on board any ship or vessel
whatsoever in *Great Britain*, to be carried by water as aforeaid,
the proprietor or proprietors thereof shall describe and insert on
the back of such certificate, in a fair and legible manner, the
names of each particular package in which such goods are con-
tained, together with the particular marks and numbers set on
each package, and also the true and exact weight of each parti-
cular species of such goods contained in each particular package,
and the place or places from whence the same were brought,
and to which they are to be carried and conveyed by water as a-
foreaid.

XV. And

XV. And it is hereby further enacted, That such certificate as aforesaid shall, by the proprietor or proprietors of such tobacco, tobacco stalks and snuff, before the same be shipped or laden on board any ship or vessel for the purposes aforesaid, be delivered to the master or other person or persons taking charge of any ship or vessel, ships or vessels on board which such tobacco, tobacco stalks or snuff shall be shipped or laden, in order to be removed and carried by water as aforesaid; which certificate the master or other person or persons taking charge of any such ship or vessel, ships or vessels on board which any such tobacco, tobacco stalks or snuff shall be laden as aforesaid, shall immediately after his or their arrival in any port or place in *Great Britain* with such goods on board, deliver to the collector or other chief officer at such port or place, who is hereby directed and required to cause such goods to be examined by the said certificate, to see that they agree therewith; and if upon such examination it shall be found that such goods agree with the certificate in all respects, then such certificate shall be transmitted by him within the space of one month after he receives the same, to the person appointed by the high treasurer or commissioners of the treasury for the time being, for keeping the accounts herein after mentioned; and the same goods shall be discharged by the officer who examines them, and shall and may be taken away and disposed of by such person or persons to whom they are consigned, or to whom they of right belong or appertain.

Certificate to be delivered to the master of the vessel,

and by him to the chief officer of the port,

and to be transmitted to the officer appointed by the treasury.

XVI. And it is hereby further enacted, That if any tobacco, tobacco stalks or snuff shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, be found laden on board any ship or vessel whatsoever, at any port or place in *Great Britain*, without such certificate as aforesaid being first had and obtained, or without such certificate being on board any such ship or vessel with the goods to which the same belongs; or if upon examination it shall appear that such certificate is forged or counterfeited, or that it does not agree in all respects with the goods to which the same belongs; then, and in any or either of such cases, all such tobacco, tobacco stalks, and snuff, and the casks, chests, cases, or other packages containing the same, shall be forfeited and lost, and shall and may be seized and prosecuted by any officer or officers of the customs, in the manner herein after directed; and the master or other person or persons taking charge of any such ship or vessel, ships or vessels, shall forfeit and lose six pence per pound weight for every species of the goods aforesaid; and if any person or persons whatsoever shall counterfeit, forge, erase, or in any wise alter any such certificate as is herein last before-mentioned and described, or shall cause or procure the same to be counterfeited, forged, erased, or altered in any respect, he, she or they so offending, shall forfeit and lose the sum of one hundred pounds, to be sued for, recovered, levied, and divided, in the manner as herein after is expressed.

Tobacco, &c. shipped without such certificate,

to be forfeited,

and the master to pay 6d. per lb.

Penalty of counterfeiting such certificate.

Land-waiters
books for
entry and
discharge of
tobacco, to be
transmitted
monthly to
the officers
appointed by
the treasury,

with copies of
the entries for
exportation,
&c.

and accounts
of tobacco
manufactured
by the im-
porter, &c.

or sold by
him.

Officer ap-
pointed by
the treasury
to make
entries of the
accounts,

and where any
thing shall ap-
pear to be
done against
this act, im-
mediately to
transmit to

XVII. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, the collector and comptroller, or other chief officer or officers of the customs in the port of *London*, and also at every port or place in *Great Britain*, where any tobacco shall be imported, after the said twenty ninth day of *September* one thousand seven hundred and fifty one, from any of his Majesty's plantations in *America*, do once in every calendar month transmit or deliver to such person as shall be deputed and appointed by the high treasurer, or commissioners of the treasury for the time being, to receive the same, one of the land-waiters books, in which his account is entered and kept of the landing and discharging of tobacco imported in any ship or vessel at such port or place, from any of his Majesty's plantations in *America*; and also true and exact copies of every entry of tobacco for exportation, and of the several and respective indentments relating thereto, which are delivered to the searcher or searchers, or any other officer or officers, at such port or place where any such tobacco is entered and shipped for exportation to foreign parts; and also true and exact copies of every account which, pursuant to the directions herein before given, shall be delivered to any officer or officers of the customs at such port or place, of tobacco intended to be manufactured by the importer or importers thereof, on his, her or their own account, or which shall be delivered by the importer or importers thereof to any other person or persons whatsoever to be manufactured for the account of such importer or importers; and also true and exact copies of every account which, pursuant to the directions herein before given, shall be delivered to any officer or officers at such port or place by the importer or importers of tobacco sold by them to any other person or persons whatsoever: which said several accounts are to be kept by the said person who shall be deputed as aforesaid by the high treasurer or commissioners of the treasury for the time being, who is to keep proper books, and enter therein the said several and respective accounts so transmitted or delivered to him; which several entries shall be made, and an account thereof kept, in such manner and form, that the marks and numbers on every hogshead, cask or other package of tobacco, with the weights thereof, at the importation thereof, may be compared and chequed with the marks, numbers and weights, at the exportation thereof, or when sold or delivered for home consumption, or to be manufactured, to the intent that the identity of all such tobacco imported, exported, sold, or delivered to be manufactured, may be thereby known and ascertained; and when any thing shall appear to him to be done or practised at any port or place, contrary to the directions and intentions of this act, he shall immediately transmit an account thereof in writing to the commissioners of the customs for the time being, at *London*, or at *Edinburgh* respectively, under whose management the same shall happen,

happen, and a copy of ſuch representations made by him to the commissioners of the cuſtoms, either at *London* or *Edinburgh*, ſhall be by him, once in every fix months, laid before the commissioners of his Maſteſty's treaſury, or the high treaſurer for the time being; and if any collector, or other chief officer or officers of the cuſtoms, at any port or place of *Great Britain*, ſhall neglect or reſuſe to tranſmit and deliver one of the land-waiters books, and a true copy of every entry of tobacco for exportation, and of the ſeveral indorſements relating thereto, herein before-mentioned and deſcribed, and alſo true copies of all or any or either of the accounts herein before-mentioned and deſcribed, within the time and times herein before limited and appointed for that purpoſe, he and they ſo neglecting or reſuſing ſhall forfeit fifty pounds for every ſuch neglect or reſuſal, to be ſued for, recovered, levied and divided in the manner herein after expreſſed.

the commiſſioners of the cuſtoms an account thereof,

and to the treaſury once in fix months.

Penalty on collectors, &c. not tranſmitting land-waiters books, &c.

XVIII. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons whatſoever who ſhall import any tobacco into *Great Britain* from any of his Maſteſty's plantations in *America*, ſhall within the ſpace of twenty one calendar months, to be reckoned and computed from the ſaid twenty fifth day of *March* one thouſand ſeven hundred and fifty two, tranſmit and deliver to the collector or other chief officer of the cuſtoms at the port or place where any ſuch tobacco is imported, a true account in writing under his hand, and their reſpective hands, of all ſuch tobacco which he ſhall, at the time of giving in ſuch account, have in his cuſtody, power or poſſeſſion; which account ſhall contain the number of hogſheads, caſks, cheſts, caſes or other packages in which ſuch tobacco is contained, together with all, and each, and every of the ſeveral and reſpective marks, numbers and weights ſet upon all and each and every ſuch hogſhead, caſk, cheſt, caſe or other package, and the particular warehouses, ſtorehouſes, cellars, or other places where the ſame are then lodged and lie; and all and every ſuch perſon or perſons ſhall, from and after the expiration of the aforeſaid term of twenty one months, tranſmit and deliver annually, and every year, between the firſt and twenty fourth days of *June* in each year, to ſuch collector or other chief officer of the cuſtoms, at the port or place where any ſuch tobacco is imported, a true account in writing under his and their reſpective hands, of all ſuch tobacco which he ſhall, at the time of giving in ſuch account, have in his cuſtody, power or poſſeſſion which has been entered in *Great Britain* eighteen months, or more, at the time of giving in ſuch account; which account ſhall alſo contain the number of hogſheads, caſks, cheſts or other packages in which ſuch tobacco is contained, and alſo all, and each, and every of the ſeveral and reſpective marks, numbers, and weights ſet upon all, and each and every ſuch hogſhead, caſk, cheſt or other package, and the particular warehouses, ſtorehouſes, cellars or other places where the ſame are then lodged and lie; and every ſuch collector or other chief officer

Importer to tranſmit to the collector, within 21 months from 25 March 1752, an account of all tobacco then in his cuſtody;

and the like account annually;

the goods to be examined thereby, and the accounts to be transmitted to the officer appointed by the treasury.

Penalty.

Penalty of altering or defacing the marks set upon the package.

Penalty of importing tobacco otherwise than in cask, chest or case of 450 lb. weight, at the least.

Unmanufactured tobacco not to be exported but in casks, &c. of 425 lb. weight, or more.

ficer is upon receipt of such accounts, forthwith to cause the several and respective goods contained in such accounts to be examined thereby, and then to transmit such accounts to the person appointed by the high treasurer or commissioners of the treasury, for keeping the accounts herein before mentioned; and if any importer or importers of tobacco shall neglect to give in such account and accounts as aforesaid, at the time and times, and in such manner and form in all respects, as is herein before limited, directed and appointed, or if such account or accounts shall, upon examination, appear to be false or fraudulent in any respect whatsoever, he, she or they so offending in both or either of these cases, shall forfeit and lose the sum of fifty pounds for each and every such offence.

XIX. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall at any time or times hereafter, in order to defeat any of the purposes or intents of this act, erase, cut out, burn out, blot out or in any wise whatsoever alter, change or deface any mark or number, marks or numbers whatsoever, which was burnt in, or set upon any hoghead, cask, chest, case or other package whatsoever of tobacco, in the plantations in *America*, or which was burnt in or set thereon in *Great Britain*, upon the importation or landing thereof, or which was burnt in or set thereon in *Great Britain*, upon the exportation thereof from thence to foreign parts, he, she and they so offending shall forfeit and lose the sum of twenty pounds for each hoghead, cask, chest, case or other package whatsoever of tobacco, the mark whereof shall be so altered or defaced as aforesaid, to be sued for, recovered, levied and divided as is herein after directed.

XX. And be it further enacted by the authority aforesaid, That from and after the said twenty fifth day of *March* one thousand seven hundred and fifty two, no tobacco shall be brought or imported into the kingdom of *Great Britain* otherwise than in cask, chest or case only, each cask, chest or case whereof shall contain four hundred and fifty pounds weight of neat tobacco at the least, under the penalty of the forfeiture of all such tobacco as shall be imported contrary to this act, together with the casks, chests, cases or other package containing the same.

XXI. And be it further enacted by the authority aforesaid, That from and after the said twenty fifth day of *March* one thousand seven hundred and fifty two, no tobacco unmanufactured shall be laden or laid on board in any ship or vessel whatsoever in any port or place in *Great Britain*, to the intent to be exported to foreign parts, but in casks, chests or cases only, containing four hundred and twenty five pounds weight or more of tobacco in each cask, chest or case, under the penalty of the forfeiture of such tobacco, and of the cask, chest or case containing the same; except casks or other packages containing samples of tobacco shipped and exported at the same time and place, and with the same hogheads or casks out of which such samples were taken;

taken; and the same goods and package shall and may be seized and prosecuted by any officer or officers of the customs in such manner and form as herein after is expressed.

XXII. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco or tobacco stalks exceeding twenty four pounds weight, nor any snuff exceeding ten pounds weight (which shall have been removed or carried coastwise, or by water, from the port or place of importation in *Great Britain*, to any other port or place within this kingdom) shall afterwards be removed or carried from thence by land to any other place whatsoever, without a certificate being first had and obtained from the collector and comptroller, or the chief officers of the customs at the port or place to which such goods were carried coastwise, or by water, as aforesaid, that it appears to them by the entries of the certificate or certificates in their books which came with the goods from the port or place of importation, that the duties thereof were paid or secured at the said port or place of importation; and also in what ship or vessel, ships or vessels, such goods and every part thereof came or were brought coastwise, or by water, as aforesaid, and the time when; and also that the person or persons who shall apply to them for the same, had made oath to the truth thereof; which said certificate such officers are hereby required and directed, after writing the same off in their books, to grant and deliver to every person and persons who shall apply to them for the same, and shall immediately transmit a duplicate of such certificate to the person appointed by the lord high treasurer, or the commissioners of the treasury, for the time being, for keeping the accounts herein after mentioned; and that before any such tobacco, tobacco stalks or snuff for which such certificate is granted, shall be removed or carried by land as aforesaid, the proprietor thereof, or his factor or agent, shall describe and insert on the back of such certificate, in a fair and legible manner, the names of each particular package in which such goods are contained; together with the particular marks and numbers set on each package, and also the true and exact weight of each particular species of such goods contained in each particular package, and the place and places from whence the same were brought, and to which they are to be carried and conveyed, and the name of the person to whom the same shall be sent, to which such proprietor, factor or agent shall subscribe his, her or their name or names, and make oath to the truth thereof; and if any tobacco, tobacco stalks or snuff, exceeding the respective quantities before mentioned, shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, be found removing by land from the port or place of its importation, without such certificate therewith as is herein before directed to be granted by the proper officers; or if upon examination it shall appear that such certificate is forged or counterfeited, all such tobacco, tobacco stalks and snuff, and the

No tobacco, stalks or snuff, above a certain weight, carried coastwise, to be afterwards removed by land, without a certificate of the duties being paid.

Officers to grant such certificate, and to transmit a duplicate to the officer appointed by the treasury.

Proprietor to insert on the back of the certificate, the packages, &c.

and make oath thereof.

Penalty of removing tobacco without certificate, &c.

casks,

and of coun-
terfeiting
thereof.

casks, cheſts, caſes or other package containing the ſame, together with the horſes, cattle, carts, waggons, and all other carriages whatſoever employed, or in any wiſe made uſe of in the removing, or carriage or conveyance of ſuch tobacco, tobacco ſtalks and ſnuff, or any or either of them, ſhall be forfeited and loſt, and ſhall and may be ſeized and proſecuted by any officer or officers of the cuſtoms, in the manner herein after directed; and the carrier or other perſon employed or intruſted in the removing, carrying or conveying ſuch goods, or any of them, ſhall, beſides the loſs of his cattle and carriages, alſo forfeit and loſe the ſum of ten pounds, and be committed to the county gaol for one month, by any juſtice of the peace for the county where the offence is committed or the offender ſhall be found; and if any perſon or perſons whatſoever ſhall counterfeit, forge, eraze or in any wiſe alter any ſuch certificates or duplicate thereof, as are directed by this act, or ſhall cauſe or procure the ſame or either of them to be counterfeited, erazed or altered in any reſpect, he, ſhe or they ſo offending ſhall forfeit and loſe the ſum of one hundred pounds for every offence, to be ſued for, recovered, levied and divided in the manner as herein after is expreſſed.

No tobacco,
ſtalks or ſnuff,
above a cer-
tain weight,
to be carried
by land, un-
leſs the ſpecies
be marked
with large
letters on the
package.

Penalty.

XXIII. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and fifty one, no tobacco or tobacco ſtalks exceeding the quantity of twenty four pounds weight, nor any ſnuff exceeding ten pounds weight, ſhall be conveyed or carried by land from any place in *Great Britain* to any other place in *Great Britain*, in any hogſhead, caſk, cheſt or package, unleſs ſuch hogſhead, caſk, cheſt or package be ſtamped or marked on the outſide, with the reſpective words, tobacco, tobacco ſtalks or ſnuff, in large letters, not leſs than three inches in length, under the penalty and forfeiture of all ſuch tobacco, tobacco ſtalks or ſnuff, with the package thereof, and one ſhill-ling for every pound weight thereof, to be paid by the owner of ſuch tobacco, tobacco ſtalks or ſnuff.

No drawback
to be allowed
for tobacco
mixed with
rubbish, &c.
Penalty of en-
tering ſuch for
exportation,
or any other
thing for to-
bacco.

XXIV. And be it further enacted by the authority aforeſaid, That no drawback ſhall be allowed for any tobacco which is mixed with rubbiſh or dirt, or any other matter or thing whatſoever; and all and every perſon or perſons who ſhall enter or ſhip for exportation, or cauſe to be entered or ſhipped for exportation, any tobacco mixed with rubbiſh or with dirt, or any other matter or thing whatſoever, or who ſhall enter any thing as tobacco for exportation, and which upon examination by the proper officers, ſhall appear not to be tobacco, ſhall forfeit all ſuch goods, and the caſks, and other package in which they are contained, and alſo the ſum of fifty pounds of lawful money of *Great Britain*, for each and every hogſhead or other package thereof.

No tobacco to
be ſhipped for
exportation
(except to

XXV. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and fifty one, no tobacco either man-
ufactured

manufactured or unmanufactured ſhall be entered or ſhipped for exportation to any parts beyond the ſeas (*Ireland* only excepted) in any ſhip or veſſel whatſoever, unleſs ſuch ſhip or veſſel ſhall be of the burthen of ſeventy tons or upwards; and if any officer or officers of the customs ſhall apprehend, or have reaſon to believe, that any ſuch ſhip or veſſel bound to foreign parts, and having tobacco on board her, ſhall not be of the burthen of ſeventy tons or upwards, it ſhall and may be lawful for ſuch officer or officers to ſtop and detain ſuch ſhip or veſſel, and the whole cargo laden on board her, of tobacco, and all other goods, until he or they ſhall cauſe ſuch ſhip or veſſel to be admeaſured, according to the admeaſurement preſcribed by an act paſſed in the ſixth year of the reign of his late majeſty King *George the Firſt*, (intituled, *An act for preventing frauds and abuſes in exciſe, customs, ſtamp duties, poſt office, and houſe money*;) and if it ſhall appear by ſuch admeaſurement, that any ſuch ſhip or veſſel is of the burthen of ſeventy tons or upwards, the officer or officers ſo ſtopping and detaining her and her cargo, ſhall not be ſubject or liable to any action for damages occaſioned by ſuch ſtoppage and detention; and if the maſter or commander of any ſhip or veſſel outward bound to foreign parts, having tobacco on board her, ſhall enter and clear out ſuch ſhip or veſſel in the collectors book at the cuſtom houſe, as of the burthen of ſeventy tons or upwards, and ſuch ſhip or veſſel ſhall not be of ſo great burthen, according to the admeaſurement preſcribed by the aforeſaid act, he ſhall forfeit and loſe the ſum of one hundred pounds for every ſuch offence.

(unleſs in veſſels of 70 tons, or upwards, the veſſel appears not to be of that burthen, may detain her till admeaſured, according to 6 Geo. I. c. 21.

Penalty on maſter clearing out veſſels as of 70 tons, not being of that burthen.

XXVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and fifty one, where any ſhip or veſſel whatſoever under the burthen of ſeventy tons coming or arriving from foreign parts, or having cleared outwards in *Great Britain* for foreign parts, and having on board one hundred pounds weight of tobacco, or any tobacco ſtalks, or ſtems ſtrip from the leaf, or fifty pounds weight of ſnuff, ſhall be found at anchor, or hovering within the limits of any of the ports of this kingdom, or within two leagues of the ſhore, or ſhall be diſcovered to have been within the limits of any port, and not proceeding on her voyage, wind and weather permitting, (unleſs in caſe of unavoidable neceſſity and diſtreſs of weather, of which neceſſity and diſtreſs the maſter, purſer or other perſon having or taking the charge or command of ſuch ſhip or veſſel, ſhall give notice to, and make proof of, before the collector or other chief officer of the customs of ſuch port as aforeſaid, immediately after the arrival of ſuch ſhip or veſſel into the ſaid port,) all ſuch tobacco and tobacco ſtalks, or ſtems ſtrip from the leaf, and ſnuff, together with the hogſheads, bags, boxes, caſks, or other pack-age whatſoever, containing the ſame goods, or the value thereof, ſhall be forfeited and loſt, (whether bulk ſhall then have been broken or not,) and the maſter or other perſon taking charge of every ſuch ſhip or veſſel ſhall forfeit and loſe the ſum

Penalty on veſſels under 70 tons, with tobacco, &c. above a certain weight, being found at anchor, or hovering near the ports, or within two leagues of the ſhore, unleſs in caſe of diſtreſs, &c.

Penalty on
vessels above
70 tons found
at anchor, or
hovering as
aforesaid.

All tobacco,
&c. which shall
be condemn-
ed, to be
burnt,

and the al-
lowance pay-
able to the of-
ficer who shall
seize the same,
to be paid out
of the customs,

after the rate
of 6 d. per
pound for to-
bacco or snuff,

and 1 d. per
pound for
stalks or da-
maged tobac-
co.

Officer to cer-
tify to the
commissioners
the quantity
burnt,

and they are
to grant an
order for pay-
ment of the
reward.

of one hundred pounds ; and the same goods and package shall and may be seized and prosecuted, or the value thereof be sued for by any officer or officers of the customs, in such manner and form as herein after is expressed, any law, statute or usage to the contrary notwithstanding ; and if any ship or vessel whatsoever above the burthen of seventy tons, having such goods on board as aforesaid, either homeward bound or outward bound, shall be found at anchor, or hovering as aforesaid, and no notice of distress be given as aforesaid, the master or other person taking charge of every such ship or vessel shall forfeit and lose the sum of one hundred pounds.

XXVII. And be it enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, all tobacco, tobacco stalks and snuff which shall be seized and condemned, shall be burnt and destroyed in the presence of the collector and comptroller of the customs for the port where such tobacco shall happen to be at the time of such condemnation, or in the presence of such officer as shall be appointed by them for that purpose ; and if there shall be no such officer of the customs at the place where such tobacco shall be at the time of the condemnation thereof, then in the presence of the collector or supervisor of excise of the district in which such place is situate ; and that all rewards or allowances to which the officer or officers who shall seize and prosecute the same, are intitled to by law, shall be paid by the receiver's general of the customs at *London* or *Edinburgh* respectively, or by the respective collector in the out-ports where such tobacco, tobacco stalks or snuff was seized, and burnt or destroyed, to such officer or officers, out of any of the duties or revenues arising from the customs applicable to incidents ; that is to say, if it is tobacco or tobacco snuff, so burnt and destroyed, the same shall be paid at and after the same rate and proportion, as if the said tobacco or tobacco snuff had been sold on condemnation for six pence *per* pound ; and if it is tobacco stalks, or damaged tobacco, then the officer so seizing shall have and be intitled unto one penny *per* pound, for every pound's weight of tobacco stalks or damaged tobacco so condemned and burnt, in lieu of all other allowances.

XXVIII. Provided always, That the officers of customs or excise respectively, in whose presence the same shall be burnt, shall certify to the commissioners of the customs, in such part of the united kingdom where the same shall be burnt, the exact quantity so burnt, whereupon the said commissioners shall grant their order for the payment of the said rewards or allowances in manner above mentioned ; and if the same shall have been burnt in the presence of such officer of excise, then the said commissioners shall order the same to be paid by the receivers general of the customs, in either part of the united kingdom, as the same shall happen.

XXIX. And whereas some doubts have arisen, whether the bonds which are given to the crown for the payment of the several and re-
spective

*pective duties on tobacco, within eighteen months as the law directs, ought on the expiration of the said eighteen months to be put in suit, and whether any interest shall accrue thereon to the crown, from and after the expiration of the said eighteen months until the said bonds shall be vacated by a proper debenture to be made out for that purpose, in as much as the exporter upon the exportation of the tobacco within the time limited by law, which is three years, is to be paid or allowed, to draw back the whole duty or the security vacated on the bond or bonds given on the importation of the same tobacco; now to clear up and remove all such doubts for the future; be it declared and enacted by the authority aforesaid, and it is hereby declared and enacted, That all bonds which have been given, and are now subsisting at the time of making this act, for the several and respective duties on tobacco, or which shall hereafter be given for the payment of the said duties, are and shall be deemed and taken to be due and payable immediately upon the day mentioned in the condition of the said bond for payment thereof; and that such interest shall be paid to the crown, on all such bonds as is directed by an act of parliament made in the fourth year of her late majesty Queen Anne, (intituled *An act for continuing an additional subsidy of tonnage and poundage, and certain duties upon coals, culm and cinders, and additional duties of excise; and for settling and establishing a fund thereby, and by other ways and means for payment of annuities to be sold for raising a further supply to her Majesty for the service of the year one thousand seven hundred and six, and other uses therein mentioned*) which interest shall be computed from the day the bond becomes due, to the day whereon it shall be paid off in money, or the day the searcher certifies upon the debenture, that the tobacco was shipped for exportation, notwithstanding such tobacco doth or shall remain unexported, and the three years (being the time limited for the allowance of the drawback on exportation) shall not be expired, and no such security shall hereafter be vacated, until all such interest shall be paid thereon; any law, usage or custom to the contrary notwithstanding.*

XXX. And be it further declared and enacted by the authority aforesaid, That it shall and may be lawful to and for the chancellor and under treasurer of his Majesty's court of *Exchequer*, the lord chief baron, and other barons of the said court of the degree of the coif, or any or either of them, to grant his or their *Fiat* for the issuing of process of immediate extent against any person or persons who has or have, or shall have given his or their bond to the crown, for duties on tobacco, although the day mentioned in the condition of the said bond for payment be not come, upon an affidavit laid before him, by one of the securities, or executor or administrator of such security, that the person bound to the crown in such bond is decayed in his circumstances, and that the crown's debt is in danger of being lost, unless some more speedy method than the usual way of proceeding be forthwith had for recovery thereof; and if the crown recovers the money due on such bond, before the day of payment

Bonds for payment of the duties on tobacco,

to be due on the day of payment mentioned in the bond, and interest thereon to be paid to the crown, according to 4 Anne, c. 6.

Exchequer may grant a fiat for process of immediate extent for payment of the bonds before due,

upon affidavit that the debt is in danger.

Crown recovering thereon, the obligor shall be allowed

the usual discounts.

shall become due, the obligor is to be allowed out of the money so recovered the usual discounts.

XXXI. *And whereas by an act made in the twenty first year of his present Majesty's reign, (intituled, An act for granting to his Majesty a subsidy of poundage upon all goods and merchandizes to be imported into this kingdom; and for raising a certain sum of money by annuities, and a lottery, to be charged on the said subsidy; and for repealing so much of an act made in the twentieth year of his present Majesty's reign, as enacts, that prize goods and merchandizes may be exported, without paying any duty of custom or excise for the same) it is provided, That the importers of tobacco shall, upon paying down the subsidy thereby granted, have the same allowance with respect to the said subsidy, as they are intituled to by any law now in force upon tobacco imported; but no allowance is given by the said act to the importers of tobacco, when the said subsidy is bonded, which has been found detrimental to trade; be it therefore enacted by the authority aforesaid, That the importers of tobacco shall, from and after the first of June one thousand seven hundred and fifty one, have the same allowances and discounts on giving bonds for the said subsidy, or paying the same before they become due, as they are now intituled to by any law now in force upon bonds given for tobacco imported; and that if any importer of tobacco who hath already given security, or shall before the said first of June one thousand seven hundred and fifty one, give security for the said subsidy, shall be desirous to discharge his bond or bonds, or any part thereof in ready money, before the expiration of eighteen months from the date thereof, he shall be abated upon such bond or bonds so much as the discount at the rate of seven per centum per annum shall amount to in proportion to the time unexpired.*

Importers of tobacco to have a discount on giving bonds for the said subsidy, or paying the same before due, &c.

XXXII. *And whereas by an act of parliament made in the twelfth year of the reign of her late majesty Queen Anne, (intituled, An act for the encouraging the tobacco trade) it was enacted, That any person importing tobacco, that should pay down in ready money the subsidy of one penny per pound, due and payable by the act of the twelfth year of the reign of his late majesty King Charles the Second, or by any act or acts continuing the same, and should then desire to have the said tobacco put into warehouses under the queen's and merchants locks for the security of the remainder of the duties, the merchant or his servants should have free access into the said warehouse at all seasonable times, which said act was to continue in force for five years, and to the end of the then next session of parliament: and whereas by an act of parliament passed in the fifth year of the reign of his late majesty King George the First, (intituled, An act for continuing an act made in the twelfth year of the reign of her late majesty Queen Anne, (intituled, An act for encouraging the tobacco trade) it is declared, That the putting of tobacco into warehouses had been found beneficial to the tobacco trade; and therefore enacted, That the said recited act of the twelfth year of the reign of her late majesty Queen Anne should continue in force during such time as the respective duties on tobacco should respectively continue in force: and whereas*

22 Ann. st. 2. c. 8.

5 Geo. 1. c. 7.

doubts

doubts have ariſen, whether the ſaid recited act of the twelfth year of the reign of her ſaid late majeſty Queen Anne is now in force; for obviating whereof, be it further enacted by the authority aforeſaid, That the ſaid act, ſo far as the ſame relates to the putting of tobacco into warehouſes, and every article, rule, claufe, matter and thing therein contained, ſhall be and continue, and are hereby declared to be in full force.

The recited act of 12 Ann. ſo far as it relates to putting tobacco into warehouſes, to be in force.

XXXIII. And be it further enacted by the authority aforeſaid, That one moiety of the ſeveral penalties and forfeitures in his act before mentioned, ſhall be to the uſe of his Majeſty, his heirs and ſucceſſors, and the other moiety to the uſe of ſuch perſon and perſons as ſhall inform, proſecute or ſue for the ſame; and that all the ſame penalties and forfeitures ſhall and may be proſecuted and ſued for, and the cauſes and controverſies ariſing hereupon, tried, heard and determined in any of his Majeſty's courts of record at *Weſtminſter*, (if the offence ſhall be committed in *England*, or if the offender or offenders be in *England* at the time of commencing the proſecution) or in the court of *Exchequer* at *Edinburgh*, (if the offence ſhall be committed in *Scotland*, or if the offender or offenders be in *Scotland* at the time of the commencing the proſecution) at the election of the commiſſioners of his Majeſty's cuſtoms in that part of the ſaid united kingdom where the offence or offences ſhall be committed, wherein no eſſoin, protection, wager of law, or more than one imparlance ſhall be allowed; any law, uſage or cuſtom to the contrary notwithstanding.

Recovery of the penalties and forfeitures.

XXXIV. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, the defendant or defendants in ſuch action or ſuit may plead the general iſſue, and give this act, and the ſpecial matter in evidence, it any trial to be had thereupon; and that the ſame was done in purſuance of and by authority of this act; and if it ſhall appear to have been done, then the jury ſhall find for the defendant or defendants; and if the plaintiff ſhall be nonſuited, or diſcontinue his action, after the defendant or defendants ſhall have appeared, or if judgment ſhall be given upon any verdict or denurrer againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame as defendants have in other caſes by law.

Limitation of actions.

General iſſue.

Treble coſts.

C A P. XLII.

An act to explain and amend an act paſſed in the laſt ſeſſion of parliament, intituled, An act for the more eaſy and ſpeedy recovery of ſmall debts within the city and liberty of Weſtminſter, and that part of the dutchy of Lancaſter, which adjoineth thereto; and for making the ſaid act more eſſectual.

WHEREAS ſeveral doubts have ariſen in the execution of an act paſſed in the twenty third year of his preſent Majeſty's reign,

23 Geo. 2. C. 17.

reign, intituled, An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto; and the said act has, in many respects, been found insufficient to answer the purposes thereby intended: and whereas doubts have arisen, whether attornies and solicitors are subject to the processes of the said court: therefore, for explaining, amending, and making the said act more effectual, may it please your most excellent Majesty, that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all persons admitted as attornies or solicitors shall be, and they are hereby declared to be subject to all the processes of the said court of requests for the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto; any thing in the said act to the contrary in any wise notwithstanding.

Attornies and solicitors subject to the processes of the court.

II. *And whereas the commissioners nominated and appointed to put the said act in execution, are directed by the said act to meet in three different divisions, one day in each week: and whereas divers mistakes and inconveniencies have happened, for want of knowing the particular bounds and limits of the several divisions or districts: for remedy thereof, be it enacted by the authority aforesaid, That from and after the twenty fourth day of June one thousand seven hundred and fifty one, so much of the said act as relates to the dividing the said city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto, into three districts or divisions, shall be, and is hereby, repealed.*

So much of the recited act as relates to the dividing the city and liberty of Westminster, &c. into 3 divisions, repealed.

III. *And be it further enacted by the authority aforesaid, That the commissioners nominated and appointed, or to be nominated and appointed, by virtue of the said act, are hereby authorized and required to assemble, sit and hold the said court in and for the said city and liberty, and that part of the dutchy of Lancaster which adjoineth thereto, in two divisions only; videlicet, the several parishes of Saint Margaret, Saint John the evangelist, Saint Martin in the Fields, Saint Paul Covent Garden, Saint Clement Danes, Saint Mary le Strand, and that part of the dutchy of Lancaster which adjoineth to the said liberty of Westminster, to be one of the said divisions; and the several parishes of Saint George Hanover Square, Saint James, and Saint Anne, to be the other division, in such manner as is herein after-mentioned and declared; videlicet, the commissioners for the said several parishes of Saint Margaret, Saint John the evangelist, Saint Martin in the Fields, Saint Paul Covent Garden, Saint Clement Danes, Saint Mary le Strand, and that part of the dutchy of Lancaster which adjoineth to the said liberty of Westminster, on every Thursday in every week, or oftener, if necessary, in some convenient part of the said division; and the said commissioners for the parishes of Saint George Hanover Square, Saint James, and Saint Anne, and every Tuesday in every week, or oftener, if necessary, in some convenient part of the said division, for the putting*

Court to be held in two divisions.

Days of sitting of the court for each division.

putting in execution the several powers and authorities granted by this and the said former act.

IV. And whereas the erecting or hiring, fitting up and maintaining two convenient court-houses for the purposes aforesaid, will be attended with very great expence to the officers appointed to put the said act of the last session of parliament in execution: and whereas by the said act the said officers are obliged to pay an annual allowance to the counsel of the Marshalsea Court; which expences and allowances, and other necessary charges attending the execution of the said act, have rendered, and will continue to render, the profits arising to the said officers of the court very inconsiderable: therefore, to enable the said officers to defray such expences, and in order to provide some compensation for their trouble, be it enacted by the authority aforesaid, That from and after the said twenty fourth day of June, instead of the fees limited by the said former act, the several fees hereafter limited, and no other fee or fees, shall be taken for the respective services of the high bailiff of the city and liberty of Westminster for the time being, and the clerks of the said court; that is to say,

The fees following to be taken in lieu of those limited by the former act.

For issuing out every summons, to the clerk or clerks four pence.

For the service of such summons, to the high bailiff four pence.

For every hearing, to the clerk or clerks six pence, to the high bailiff three pence.

For an execution, to the clerk or clerks one shilling, to the high bailiff one shilling and six pence.

For paying money into court, to the clerk or clerks seven pence.

For acknowledging satisfaction in full, to the clerk or clerks six pence.

For every search, to the clerk or clerks two pence.

For calling the defendant before the court, to the clerk or clerks two pence, to the high bailiff two pence.

For every order upon bearing, and the entry thereof, to the clerk or clerks four pence.

For the service of every such order, to the high bailiff two pence.

For a nonsuit on the plaintiff's not appearing, to the clerk or clerks four pence.

A table of which fees shall be hung up by the clerks of the said court, or one of them, in some publick and conspicuous place of the two court-houses where the said commissioners shall meet for the purposes aforesaid, to the end that all persons may at all times see and read the same.

Table of fees to be hung up in each court house.

V. And whereas by the said act of the last session of parliament four clerks are appointed for the said three divisions, which divisions are by this act reduced to two; be it enacted by the authority aforesaid, That upon the death, resignation or removal of any one of the said four clerks, the remaining three clerks shall continue to act; and upon the death, resignation or removal of any one of the said three clerks, then the remaining two shall in like manner proceed to act; and shall continue to carry into execution,

The number of clerks to be reduced upon the death, resignation or removal, &c.

tion all the powers and authorities by the said former and this present act vested in the said clerks; nor shall the commissioners proceed to choose another clerk in the place or stead of any one so dying, resigning or being removed, until the number of the said clerks shall be reduced to one; at which time, or so soon after as the same shall be publickly known, the commissioners appointed to put the said former and this present act in execution shall proceed to elect another clerk, to be joined with the surviving or remaining clerk, according to the directions for that purpose in the said former act, so as such number of clerks shall not at any time afterwards exceed the number of two.

Clerks not to act as justices in any matters relative to the jurisdiction of the court.

VI. And be it further enacted by the authority aforesaid, That no clerk or clerks of the said court shall act as a justice or justices of the peace in any matter or thing whatsoever relative to the proceedings of the said court, or any matter which may arise in relation to the jurisdiction of the same: but nothing in this or the said former act contained shall prevent or exclude any clerk of the said court from acting as a justice of the peace in any matter not relative to the business or jurisdiction of the said court.

Persons residing within the limits, subject to the jurisdiction though the plaintiff be not resident therein.

VII. *And whereas doubts have arisen, whether any person or persons residing within the city and liberty of Westminster, or that part of the duchy of Lancaster adjoining thereto, and who are indebted to persons who did not reside within the limits aforesaid, are subject to the jurisdiction of the said court:* for remedy thereof, be it declared and enacted by the authority aforesaid, That all persons inhabiting within the limits aforesaid shall be, and are hereby declared to be, subject to the process and jurisdiction of the said court, although the plaintiff suing out such process shall not inhabit or reside within the said city and liberty of *Westminster*, and that part of the duchy of *Lancaster* which adjoineth thereto.

C A P. XLIII.

An act for the more effectual preservation of the turnpike roads in that part of Great Britain called England; and for the disposition of penalties given by acts of parliament relating to the highways, in that part of Great Britain called England, and for enforcing the recovery thereof; and for the more effectual preventing of mischiefs occasioned by the drivers riding upon carts, drays, carrs and waggons, in the city of London, and within ten miles thereof.

WHEREAS great sums of money have been expended in amending and repairing the turnpike roads of this kingdom, yet the said roads cannot be kept in sufficient repair, and are in many places become ruinous, by the great and excessive weights which the number of horses now allowed by law to draw waggons and other carriages enable carriers and other persons using the said roads to carry upon the same: for remedy whereof, be it enacted by the King's most

moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of *July* one thouſand ſeven hundred and fifty two, it ſhall and may be lawful for all truſtees or com- miſſioners appointed, or hereafter to be appointed, by any act or acts of parliament, for the repair of any highway or high- ways in that part of *Great Britain* called *England*, in their re- ſpective diſtricts, or any five of them, or any perſon or perſons impowered by them, or any five of them, to demand, receive and take, and they are hereby required to demand, receive and take, at all the gates and bars they have erected, or ſhall erect, for the receiving and collecting any toll or duty, the ſum of twenty ſhillings for every waggon or other carriage drawn by ſix horſes, before ſuch waggon or other carriage ſhall be per- mitted to paſs through any ſuch toll-gate or toll-bar, over and above the tolls or duties already granted, or hereafter to be granted; which ſaid additional toll or duty hereby granted and made payable, ſhall and may be levied and recovered upon any perſon who ſhall after demand made thereof reſuſe or neglect to pay the ſame, in ſuch manner as any other toll or duty payable at the ſame turnpike-gate or bar is by law to be levied and re- covered; and the money ariſing from ſuch additional duty ſhall be applied to the repair of the highway where the ſame ſhall be collected.

Truſtees of the roads may take 20s. 2- above the tolls for every waggon, &c. drawn with 6 horſes, paſſing through any turnpike, &c.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall take off, or cauſe to be taken off, any horſe or horſes from any waggon or other carriage, at or be- fore the ſame ſhall come to any of the ſaid gates or turnpikes, with intent to avoid paying the ſaid additional toll or duty, each and every perſon ſo offending, and being convicted thereof be- fore the ſaid truſtees, or any five or more of them, or one or more juſtice or juſtices of the peace for the county, riding or di- viſion, where the offence ſhall be committed, upon the oath of one or more credible witneſs or witneſſes, which oath the ſaid truſtees, or any five or more of them, or the ſaid juſtice or juſ- tices, are hereby impowered to adminiſter, ſhall forfeit and pay to the informer the ſum of five pounds; which ſum, in caſe the ſame be not forthwith paid, ſhall be levied by diſtreſs and ſale of the offender's goods, by warrant under the hand and ſeal, or hands and ſeals of the ſaid truſtees, or any five or more of them, or the ſaid juſtice or juſtices, rendering the overplus to the owner (if any be) on demand, after deducting the reaſonable charges of making ſuch diſtreſs and ſale, to be ſettled by the ſaid truſtees, or any five or more of them, or by the ſaid juſtice or juſtices.

Penalty of ta- king off horſes to avoid the duty,

to be levied by diſtreſs and ſale.

III. And be it enacted and declared by the authority aforeſaid, That every perſon who ſhall drive any waggon or other carriage upon any part of any turnpike road with more horſes than ſuch waggon or other carriage ſhall on the ſame day paſs through any turnpike-bar or gate with, ſhall be deemed and adjudged

Perſons driv- ing with more horſes than ſuch waggon ſhall paſs with the ſame day, to deemed to in-

car the penal- to have taken off the laid hories with intent to avoid paying the
ty. laid additional toll or duty.

Penalty of dri-
ving waggons
out of the
turnpike roads
to avoid the
toll.

IV. Provided always, and be it further enacted by the autho-
rity aforefaid, That from and after the first day of *September* one
thoufand feven hundred and fifty one, no waggon, cart or other
carriage, travelling for hire upon any of the laid turnpike roads,
shall be drove or turned out of the fame into any of the roads
adjacent, not being turnpike roads, in order to avoid, and there-
by avoiding paying the tolls and duties appointed by this or any
former act or acts to be paid at any gate or turnpike erected for
the collecting and receiving the fame, upon pain of forfeiting
and lofing any one of the hories drawing fuch waggon, cart or
carriage, (not being the thill or thair horie) with all his gear
and accoutrements, to the fole ufe and benefit of any perfon or
perfon who fhall feize or diftrain the fame; and the perfon or
perfon making fuch feizure or diftreff fhall proceed in like man-
ner, and be intituled to the like remedies, as is directed and given
in cafes of feizure of horfes, by an act of parliament made in the
fifth year of the reign of his late majefty King *George the Firft*,
intituled, *An act for making more effectual the feveral acts paffed
for repairing and amending the highways of this kingdom.*

to be levied
according to
5 Geo. 2. c. 12.

Carriages ex-
empted.

V. Provided always, That nothing in this act fhall be deem-
ed or conftrued to extend to any coach, berlin, chariot, chaise,
calafh or hearfe, or to any waggon, wain, cart, or other carriage,
employed only about husbandry, or in carrying only of hay,
ftraw, corn unthrashed, or chalk, or any ftone, block of marble,
or piece of timber, nor to carravans, or the covered carriages of
noblemen and gentlemen for their private ufe, or fuch timber,
ammunition or artillery, as fhall be for his Majesty's fervice.

14 Geo. 2. c. 42.

VI. *And whereas an act of parliament was made in the fourteenth
year of the reign of his prefent Majesty, intituled, An act for the
prefervation of the publick roads, in that part of Great Britain
called England, which hath proved infufficient for the purpofe, by
reafon that few of the cranes, machines or engines, therein mentioned
for the weighing of carriages, have been erected; and to avoid fuch
as have been erected, the owners and drivers of waggons, and other
carriages, with exceffive weights, have in feveral places left the turn-
pike road, and gone through other roads and by-lanes, which have
been repaired at a great expence by the inhabitants of the feveral pa-
rishes and places where the fame lie, and thereby fuch roads and by-
lanes have been greatly damaged and made ruinous, to the great pre-
judice and expence of fuch inhabitants, and the income of the toll hath
been alfo much leffened: for remedy whereof, and rendering the
laid act more effectual for the purpofes thereby intended, be it
further enacted by the authority aforefaid, That on or before
the twenty fifth day of *March* one thoufand feven hundred and
fifty two, all commiffioners or trustees already appointed by any
act or acts of parliament for the repairs of any highway or high-
ways in that part of *Great Britain* called *England*, or any five or
more of them, fhall, and they are hereby required, at one or
more gate or gates, bar or bars, or at fome other convenient*

Trustees to
erect engines
for weighing
carriages.

place or places within their respective districts, to order and cause to be built and erected a crane, machine or engine proper for the weighing of carts, waggons or other carriages for the carrying of any goods or merchandize whatsoever, and order and cause all and every such carts and waggons or other carriages (except such as by this act are excepted) which shall pass through any such gate or bar to be weighed, together with the loading thereof, and shall receive and take such toll and additional duty of twenty shillings the hundred, as is by the said act authorized and directed to be received and taken, and shall apply the same for the purposes in the said act mentioned.

VII. Provided always, and be it enacted, That nothing in this act contained shall extend, or be construed to extend to oblige the trustees of any turnpike road beyond thirty miles distance from *London*, or where the tolls and duties granted to such trustees do not amount to the annual sum of one hundred and fifty pounds within thirty miles distance from *London*, to erect any engine or machine for the weighing waggons or carriages; any thing in this act to the contrary notwithstanding.

Trustees for roads beyond 30 miles from *London*, or where the tolls do not amount to the annual sum of 150 l. not obliged to erect engines.

VIII. And whereas an act passed in the first year of the reign of King George the First has not been found sufficient to prevent the mischiefs that frequently happen by the negligence of carters, draymen, carmen and waggons riding on their carriages in the city of *London*, or within ten miles thereof; now, in order, more effectually to prevent such mischiefs for the future, and for the more speedy and easy conviction and punishing offenders against the said act, be it therefore enacted, That if any carter, drayman, carman, waggoner or other driver shall, after the twenty fourth day of June one thousand seven hundred and fifty one, ride upon such cart, dray, cart or waggon in the city of *London*, or within ten miles thereof, not having some other person or persons on foot to guide or conduct the same, every such person, being thereof convicted according to the tenor of the aforesaid act, shall forfeit and pay the sum of ten shillings, in case such driver shall not be the owner of such carriage; and in case the offender be the owner of such carriage, then any sum not exceeding twenty shillings: which penalties shall be recovered, levied and applied, as by the said former act is directed concerning the ten shillings penalty aforesaid.

1 Geo. 1. c. 57.

Penalty on carter riding upon his cart, not having some person on foot to guide the same.

IX. And be it enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, though not a peace officer, to stop and apprehend such offender, and to carry him, as soon as conveniently may be, before any justice of the peace for the county, city or place where such offence is committed; and in case any person or persons shall resist, abuse or prevent any person endeavouring to apprehend any such offender, or when he is apprehended, shall rescue or endeavour to rescue him, such person so offending shall for every such offence incur the penalty of twenty shillings, to be recovered and applied as aforesaid.

Any person may apprehend such offender, and carry him before a justice.

Penalty of resisting, &c.

X. Provided always, and be it further enacted by the authority

Waggons
drawing up
steep hills,
may use as
many horses
as the justices
at sessions
shall direct.

rity aforesaid, That nothing in this or any former act contained, shall extend, or be construed to extend to restrain or hinder any owner or owners of any waggon or other carriage, or his or their servants, using or drawing with as many horses or beasts as shall be necessary for the drawing such waggons or other carriages up any such steep hills, as the justices of the peace of the respective counties, ridings, divisions and places where such steep hills do lie, shall at their quarter-sessions from time to time order and direct; which said order and direction shall be kept by the respective clerks of the peace among the records of the sessions, to which all persons, at reasonable times, shall have recourse without fee or reward.

Penalties vest-
ed in the in-
former.

Method of
recovery.

XI. *And whereas several acts have been made, as well for repairing and amending divers publick roads in that part of Great Britain called England, as for punishing offences done or committed upon or to the highways, the good intentions whereof have not been answered for want of a due execution of the said laws; for remedy whereof, and as a further encouragement to informers, be it enacted by the authority aforesaid, That all penalties and forfeitures imposed by this or any former act, shall, from and after the tenth day of September in the year one thousand seven hundred and fifty one, be wholly given to and vested in the informer or person who shall sue for the same; any law or statute to the contrary notwithstanding: and every such informer or prosecutor shall and may from thenceforth sue for and recover such forfeitures or penalties by this or any of the said acts imposed, in the same manner as the same are severally and respectively directed to be sued for and recovered, or by action of law, to be brought by such informer or prosecutor in any of his Majesty's courts of record at Westminster, in manner following; that is to say, where any person shall for any such offence be liable to pay any pecuniary penalty, it shall be lawful to sue for the same by action of debt; in which it shall be sufficient to declare, that the defendant is indebted to the plaintiff in the sum of*
being forfeited by an act, intituled,

Double costs.

Limitation of
actions.

and where the penalty or forfeiture is of any horse or horses, gelding or geldings, mare or mares, or other goods, by an action of trover against the person liable to such penalty or forfeiture, in which the value of such horse or horses, gelding or geldings, mare or mares, or other goods as is or are liable to the forfeiture, shall be given in damages, without any seizure or demand thereof; and the plaintiff, if he recover in any such action, shall have double costs; provided that there shall not be more than one recovery for the same offence: and that no action shall be brought, by virtue of this act, in any of his Majesty's said courts of record, unless the same be brought before the end of six calendar months after the offence committed.

CAP. XLIV.

An act for the rendering juſtices of the peace more ſafe in the execution of their office; and for indemnifying conſtables and others acting in obedience to their warrants.

WHEREAS juſtices of the peace are diſcouraged in the execution of their office by vexatious actions brought againſt them for or by reaſon of ſmall and involuntary errors in their proceedings: and whereas it is neceſſary that they ſhould be (as far as is conſiſtent with juſtice, and the ſafety and liberty of the ſubjects over whom their authority extends) rendered ſafe in the execution of the ſaid office and truſt: and whereas it is alſo neceſſary that the ſubjects ſhould be protected from all wilful and oppreſſive abuſe of the ſeveral laws and ſtatutes committed to the care and execution of the ſaid juſtices of the peace; be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fourth day of June one thouſand ſeven hundred and fifty one, no writ ſhall be ſued out againſt, nor any copy of any proceſs, at the ſuit of a ſubject, ſhall be ſerved on any juſtice of the peace for any thing by him done in the execution of his office, until notice in writing of ſuch intended writ or proceſs ſhall have been delivered to him, or left at the uſual place of his abode, by the attorney or agent for the party who intends to ſue or cauſe the ſame to be ſued out or ſerved, at leaſt one calendar month before the ſuing out or ſerving the ſame; in which notice ſhall be clearly and explicitly contained the cauſe of action which ſuch party hath or claimeth to have againſt ſuch juſtice of the peace; on the back of which notice ſhall be indorſed the name of ſuch attorney or agent, together with the place of his abode, who ſhall be intitled to have the fee of twenty ſhillings for the preparing and ſerving ſuch notice, and no more.

II. And be it further enacted, That it ſhall and may be lawful to and for ſuch juſtice of the peace, at any time, within one calendar month after ſuch notice given as aforeſaid, to tender amends to the party complaining, or to his or her agent or attorney; and in caſe the ſame is not accepted, to plead ſuch tender in bar to any action to be brought againſt him, grounded on ſuch writ or proceſs, together with the plea of Not guilty, and any other plea with the leave of the court; and if upon iſſue joined thereon the jury ſhall find the amends ſo tendered to have been ſufficient, then they ſhall give a verdict for the defendant; and in ſuch caſe, or in caſe the plaintiff ſhall become nonſuit, or ſhall diſcontinue his or her action, or in caſe judgment ſhall be given for ſuch defendant or defendants upon demurrer, ſuch juſtice ſhall be intitled to the like coſts as he would have been intitled unto, in caſe he had pleaded the general iſſue

No writ to be ſued againſt any juſtice for what he ſhall do in the execution of his office, 'till notice given him.

he may tender amends;

and plead the ſame in bar, &c.

only; and if upon iſſue ſo joined the jury ſhall find that no amends were tendered, or that the ſame were not ſufficient, and alſo againſt the defendant or defendants on ſuch other plea or pleas, then they ſhall give a verdict for the plaintiff, and ſuch damages as they ſhall think proper, which he or ſhe ſhall recover, together with his or her coſts of ſuit.

Plaintiff not to recover without proof of ſuch notice.

III. And be it further enacted, That no ſuch plaintiff ſhall recover any verdict againſt ſuch juſtice in any caſe where the action ſhall be grounded on any act of the defendant, as juſtice of the peace, unleſs it is proved upon the trial of ſuch action, that ſuch notice was given as aforeſaid; but in default thereof ſuch juſtice ſhall recover a verdict and coſts as aforeſaid.

Juſtice may pay into court before iſſue joined, ſuch ſum as he ſhall think fit.

IV. And be it further enacted by the authority aforeſaid, That in caſe ſuch juſtice ſhall neglect to tender any amends, or ſhall have tendered inſufficient amends, before the action brought, it ſhall and may be lawful for him, by leave of the court where ſuch action ſhall depend, at any time before iſſue joined to pay into court ſuch ſum of money as he ſhall ſee fit; whereupon ſuch proceedings, orders and judgments ſhall be had, made and given in and by ſuch court, as in other actions where the defendant is allowed to pay money into court.

Evidence not to be given of any caſe, but ſuch as is contained in the notice.

V. And be it further enacted, That no evidence ſhall be permitted to be given by the plaintiff on the trial of any ſuch action as aforeſaid, of any caſe of action, except ſuch as is contained in the notice hereby directed to be given.

Action not to be brought againſt any conſtable acting in obedience to juſtices warrant, till demand made of the copy of the warrant and reſuſal thereof &c.
(* or) So in the Record.

VI. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of *June* one thouſand ſeven hundred and fifty one, no action ſhall be brought againſt any conſtable, headborough or other officer, or againſt any perſon or perſons acting by his order and in his aid, for any thing done in obedience to any warrant under the hand * or ſeal of any juſtice of the peace, until demand hath been made or left at the uſual place of his abode, by the party or parties intending to bring ſuch action, or by his, her or their attorney or agent, in writing, ſigned by the party demanding the ſame, of the peruſal and copy of ſuch warrant, and the ſame hath been reſuſed or neglected for the ſpace of ſix days after ſuch demand; and in caſe after ſuch demand and compliance therewith, by ſhewing the ſaid warrant to, and permitting a copy to be taken thereof by the party demanding the ſame, any action ſhall be brought againſt ſuch conſtable, headborough or other officer, or againſt ſuch perſon or perſons acting in his aid for any ſuch caſe as aforeſaid, without making the juſtice or juſtices who ſigned or ſealed the ſaid warrant, defendant or defendants, that on producing and proving ſuch warrant at the trial of ſuch action, the jury ſhall give their verdict for the defendant or defendants, notwithstanding any defect of juriſdiction in ſuch juſtice or juſtices; and if ſuch action be brought jointly againſt ſuch juſtice or juſtices, and alſo againſt ſuch conſtable, headborough or other officer, or perſon or perſons acting in his or their aid as aforeſaid, then on proof of ſuch warrant the jury ſhall find

find for such constable, headborough or other officer, and for such person and persons so acting as aforesaid, notwithstanding such defect of jurisdiction as aforesaid; and if the verdict shall be given against the justice or justices, that in such case the plaintiff or plaintiffs shall recover his, her, or their costs against him or them, to be taxed in such manner by the proper officer, as to include such costs as such plaintiff or plaintiffs are liable to pay to such defendant or defendants for whom such verdict shall be found as aforesaid.

VII. Provided always, That where the plaintiff in any such action against any justice of the peace shall obtain a verdict, in case the judge before whom the cause shall be tried, shall in open court certify on the back of the record, that the injury for which such action was brought, was wilfully and maliciously committed, the plaintiff shall be intitled to have and receive double costs of suit.

Where the judge shall certify the cause of action was wilfully committed, plaintiff to recover double costs.

VIII. Provided also, and be it enacted by the authority aforesaid, That no action shall be brought against any justice of the peace for any thing done in the execution of his office, or against any constable, headborough or other officer, or person acting as aforesaid, unless commenced within six calendar months after the act committed.

Limitation of actions.

CAP. XLV.

An act for the more effectual preventing of robberies and thefts upon any navigable rivers, ports of entry or discharge, wharfs, and keys adjacent.

WHEREAS divers wicked and ill-disposed persons are encouraged to commit robberies and thefts upon navigable rivers, ports of entry and discharge, wharfs and keys adjacent, by the privilege, as the law now is, of being admitted to the benefit of their clergy; therefore, for the more effectual preventing such felonies for the future, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That all and every person or persons that shall, at any time from and after the twenty fourth day of June, one thousand seven hundred and fifty one, feloniously steal any goods, wares or merchandize, of the value of forty shillings, in any ship, barge, lighter, boat or other vessel, or craft, upon any navigable river, or in any port of entry or discharge, or in any creek belonging to any navigable river, port of entry or discharge, within the kingdom of Great Britain; or shall feloniously steal any goods, wares or merchandize, of the value of forty shillings, upon any wharf or key adjacent to any navigable river, port of entry or discharge, or shall be present, aiding and assisting in the committing any of the offences aforesaid, being thereof convicted or attainted, or being indicted thereof shall of malice stand mute, or will not directly answer to the indictment; or shall peremptorily challenge above

Persons convicted of theft of 40s. value on board any vessel,

or on any wharf, or assisting therein, &c. excluded from the benefit of the clergy.

the number of twenty perſons returned, to be of the jury; ſhall be excluded from the benefit of clergy.

CAP. XLVI.

An act for repealing the duties now payable upon foreign linen yarns, and for granting other duties in lieu thereof.

WHEREAS the ſupport and encouragement of the Britiſh manufactures of ſtriped and chequered linen, and of linen mixed with cotton, is of great importance to the trade and navigation of this kingdom: and whereas the exports of the ſaid manufactures have of late years conſiderably decreaſed: and whereas the reducing of the duties now payable upon foreign linen yarns, would greatly tend to the encouragement and ſupport of the ſaid manufactures, by putting them upon a more equal footing with the manufactures of other nations, and thereby enable the Britiſh manufactures to regain and enlarge their export trade: may it therefore pleaſe your moſt excellent Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of *March* one thouſand ſeven hundred and fifty two, all the rates, duties, ſubſidies, and impoſitions, which are now payable by virtue of ſeveral acts of parliament upon the importation of raw foreign linen yarns, known by the name of *Dutch yarn* and *French yarn*, and of *Spruce* or *Muſcovia yarn*; and alſo upon the importation of whitened or bleached foreign linen yarns, known by the name of *Unwrought incl* and *Short ſpinnel*; and alſo upon the importation of all other raw and whitened or bleached foreign linen yarn, ſhall ceaſe and determine, and be no longer paid.

The preſent
duties upon
Dutch,
French, and
Spruce yarns,

and unwrought incl
and ſhort
ſpinnel, and
other foreign
yarn imported,
repealed.

Duties granted
in lieu
thereof.

II. And be it further enacted by the authority aforeſaid, That in lieu of the ſaid rates, duties, ſubſidies and impoſitions by this act repealed as aforeſaid, there ſhall, from and after the ſaid twenty fifth day of *March* one thouſand ſeven hundred and fifty two, be granted and paid to his Maſteſty, his heirs and ſucceſſors, the reſpective duties following, upon the importation of foreign linen yarns into this kingdom (that is to ſay)

For every pound weight of *French*, *Dutch*, *Muſcovia*, or *Spruce* raw linen yarn, the ſum of one penny.

And for every pound weight of whitened or bleached linen yarn, known by the name of *Unwrought incl* or *Short ſpinnel*, of the manufacture of any part or place not belonging to the crown of *Great Britain*, the ſum of three pence.

And alſo the ſaid duty of one penny for every pound weight of all other raw linen yarn.

And the ſaid duty of three pence for every pound weight of all other whitened or bleached linen yarn reſpectively, of the manufacture of any part or place not belonging to the crown of *Great Britain*.

III. And

III. And be it further enacted by the authority aforesaid, That the duties hereby granted shall be raised, levied, and collected, by the respective officers of his Majesty's customs in this kingdom, under the management and direction of the respective commissioners of the customs for the time being; and that the said duties shall be collected, raised and levied, in the same manner, and with the same authorities and powers, and under the like regulations, restrictions, penalties and forfeitures, as the rates, duties, subsidies and impositions, hereby repealed as aforesaid, are now raised, collected and levied, as fully and effectually, to all intents and purposes, as if the provisions and clauses, directions, matters and things, relating to the raising, collecting and levying of the said rates, duties, subsidies, and impositions, were herein particularly inserted and re-enacted.

IV. And be it further enacted by the authority aforesaid, That all the monies arising by the said duties hereby granted, shall be paid into the exchequer separate and apart from all the branches of the publick revenues, and shall be subject and liable to the same uses and purposes respectively, as the duties hereby repealed and taken off are now liable and appropriated unto.

CAP. XLVII.

An act for granting to his Majesty the sum of six hundred thousand pounds out the sinking fund, for the service of the year one thousand seven hundred and fifty one; and for allowances to the poor widows of commission and warrant officers of the royal navy; and for the further appropriating the supplies granted this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan, or annuity orders, payable at the exchequer in lieu of such as shall be lost, burnt or destroyed; and also for making forth new orders of loan or annuity orders, in lieu of such as shall become defaced, obliterated or otherwise incumbered with assignments or endorsements thereon.

MOST gracious Sovereign, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, for the service of the year one thousand seven hundred and fifty one, in the easiest manner we are able, for the benefit of your Majesty's subjects, and also to use such ways and means therein as that your Majesty may have the better and more speedy effect of the said supplies, have resolved to give and grant unto your Majesty the sum of six hundred thousand pounds out of the surplusses, excesses and overplus monies, commonly called the *sinking fund*; and to that end and purpose do most humbly beseech your Majesty that it may be enacted, and be it en-

600,000l.
granted out
of the sinking
fund, towards
the supply for
the current
year.

enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That by or out of such monies as now are or shall from time to time be and remain in the receipt of the exchequer, of the said surplusses, excesses or overplus monies, commonly called the *sinking fund*, (after paying or reserving sufficient to pay all such sum and sums of money as have been directed by any former act or acts of parliament, to be paid out of the same) there shall and may be issued and applied, a sum not exceeding the said sum of six hundred thousand pounds, for and towards the supply granted to his Majesty for the service of the said year one thousand seven hundred and fifty one; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and empowered to issue and apply the same accordingly.

Clause of loan
at 3l. per cent.

II. And it is hereby enacted by the authority aforesaid, That in case the said commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think it adviseable to raise the said sum of six hundred thousand pounds, or any part thereof, by loans or exchequer bills, in manner herein after mentioned, that it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to advance or lend to his Majesty, at the receipt of his Majesty's exchequer, any sum or sums of money not exceeding the said sum of six hundred thousand pounds, upon the credit of the said surplusses, excesses or overplus monies, commonly called the *sinking fund*, and to have and receive for the forbearance of the money lent, interest after a rate not exceeding three pounds *per centum per annum*, so as such loans be allowed to be made by the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, who are hereby authorized to issue their warrants for that purpose as fast as such loans shall be wanted for the publick service; and moreover, that no money to be lent upon the security of this act, shall be rated or assessed to any tax or assessment whatsoever.

Tallies and
orders for
repayment.

III. And be it further enacted, That all and every person and persons who shall lend any money upon the credit of this act as aforesaid, and pay the same into the receipt of the exchequer, shall immediately have a tally of loan struck for the same, and an order for his, her or their repayment, bearing the same date with his, her or their tally, in or upon which order shall be also contained a warrant for payment of interest for the forbearance thereof, not exceeding the said rate of three pounds *per centum per annum*; and to be paid every three months, until the repayment of the principal; and all such orders for repayment of money so to be lent, shall be registered in course, according to

to carry 3l.
per cent. in-
terest.
The orders to
be registered,

the

the dates refpectively, and that all and every perfon and perfons shall be paid in courfe, according as their orders shall ftand registered in the faid register books, fo as the perfon or perfons, natives or foreigners, his, her or their executors, administrators or affigns who shall have his, her or their order or orders first entered in the faid books of register, shall be taken and accounted to be the first perfon or perfons to be paid out of the faid furplusses, excefles or overplus monies; and he, she or they who shall have his, her or their order or orders next entered, shall be taken and accounted to be the second perfon to be paid, and fo fucceffively and in courfe; and that the monies to come in of or for the faid furplusses, excefles or overplus monies, commonly called the *sinking fund* as aforefaid, shall be in the fame order liable to the fatisfaction of the faid refpective perfons, and body or bodies politick or corporate, their executors, administrators, fucceffors or affigns refpectively, without any undue preference of one before another, and not otherwife, and shall not be diverted or divertible to any other ufe, intent or purpose whatsoever, (other than fuch ufes and purposes as are appointed by any other act or acts of parliament in that behalf as aforefaid) and that no fee, reward or gratuity directly or indirectly shall be demanded or taken of any of his Majesty's fubjects for providing or making of any fuch books or registers, or any entries, views or fearches, in or for payment of money lent, or the interest thereof as aforefaid, by any of his Majesty's officer or officers, their clerks or deputies, on pain of payment of treble damages to the party grieved by the party offending, with full costs of fuit; or if the officer himfelf take or demand any fuch fee or reward, then to lofe his place alfo; and if any undue preference of one before another shall be made, either in point of registry or payment, contrary to the true meaning of this act, by any fuch officer or officers, then the party offending shall be liable by action of debt, or on the cafe, to pay the value of the debt, with full costs of fuit, to the party grieved, and shall be forejudged of his place or office; and if any fuch preference be unduly made by any his deputy or clerk, without direction or privy of his mafter, then fuch deputy or clerk only shall be liable to fuch action, debt, damages and costs, and shall be for ever after incapable of his office or place, and in cafe the auditor of the receipt shall not direct the faid orders of loan, or the clerk of the pells record, or the teller make payment upon fuch orders, according to each perfon's due place and order as before directed, then he or they shall be adjudged to forfeit, and the refpective deputies and clerks therein offending, to be liable to fuch action, debt, damages and costs in fuch manner as aforefaid; all which faid penalties, forfeitures, damages and costs to be incurred by any the officers of the exchequer, or any their deputies or clerks, shall and may be recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminfter*, wherein no effoin, protection, privilege, wager of law, injunction or order of reftraint shall be in any wife granted or allowed.

and paid in
courfe,

No fee for
registering.

Penalty.

Forfeitures
recovered.

No undue preference where tallies are dated the same day.

Nor if subsequent orders be paid before such as were not demanded in course.

Orders assignable *toties quoties*.

No fee for entry.

The assignment not to be voided.

Commissioners of the treasury may make new exchequer bills for raising the said 600,000 l.

IV. Provided always, and it is declared, That if it shall happen that several tallies of loan, or orders for payment as aforesaid, bear date or be brought the same day to the auditor of the receipt, to be registered, then it shall be interpreted no undue preference which of those be entered first, so as he enters them all the same day.

V. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay subsequent orders to persons that come and demand their monies and bring their orders, before other persons that did not come to take their monies and bring their orders in course, so as there be so much money reserved as will satisfy precedent orders which shall not be otherwise disposed of, but kept for them, interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

VI. And be it further enacted, That all and every person and persons to whom any money shall be due for loans, to be registered by virtue of this act, after order entered in the book of register as aforesaid, his, her or their executors, administrators or assigns, by proper words of assignment to be indorsed and written upon his, her or their order, may assign and transfer his, her or their right, title, interest and benefit of such order, or any part thereof, to any other, which being notified in the office of the auditor of the receipt aforesaid, and an entry or memorial thereof also made in the book of registry aforesaid, for orders (which the officers shall upon request, without fee or charge, accordingly make) shall intitle such assignee, his, her or their executors, administrators, successors and assigns to the benefit thereof, and payment thereon, and such assignee may in like manner assign again, and so *toties quoties*; and afterwards it shall not be in the power of such person or persons who have or hath made such assignment, to make void, release or discharge the same, or any the monies thereby due, or any part thereof.

VII. And, to the end there may be no want or failure of a certain sum, not to exceed in the whole the said sum of six hundred thousand pounds, to be raised either by such loans as aforesaid, or by issuing exchequer bills, as is herein after mentioned, or by both or either of those ways or means, for the publick service; be it further enacted by the authority aforesaid, That in case the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge it more adviseable, to raise the said sum of six hundred thousand pounds, or any part thereof, by exchequer bills, instead of such loans as aforesaid, that then they respectively are hereby authorized and impowered, at any time or times, to prepare and make, or cause to be prepared and made at the exchequer, any number of new exchequer bills, for any sum or sums of money not exceeding in the whole the said sum of six hundred thousand pounds, together with such loans as aforesaid, in the

the same or like manner, form or order, and according to the same or like rules and directions as in and by a certain act of parliament, (*For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry for the service of the year one thousand seven hundred and fifty one,*) are enacted and prescribed concerning the exchequer bills to be made in pursuance of the said act.

VIII. And be it further enacted by the authority aforesaid, That all and every the clauses, provisoes, powers, privileges, advantages, penalties, forfeitures and disabilities contained in the said last-mentioned act, relating to the loans or exchequer bills, authorized to be made by the same act (except such clauses as do charge the same on the rates and duties granted by the same act) shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually to all intents and purposes as if the said exchequer bills had been originally authorized by the said last mentioned act, or as if the said several clauses or provisoes had been particularly repeated and re-enacted in the body of this present act.

The exchequer bills to be subject to the regulations in the malt act.

IX. And be it enacted by the authority aforesaid, That all the exchequer bills as shall be made in pursuance of this act, and the interest, *Premium*, rate and charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the growing produce of the said surplusses, excesses and overplus monies, commonly called the *Sinking Fund*, (except such monies of the said *Sinking Fund*, as are appropriated to any particular use or uses by any former or other act or acts of parliament in that behalf;) and such monies of the said *Sinking Fund* shall and may be issued and applied as fast as the same can be regularly stated and ascertained for and towards the paying off, cancelling and discharging such exchequer bills, interest, *Premium*, rate, or charges, until the whole of them shall be paid off, cancelled and discharged, or money sufficient for that purpose be kept and reserved in the exchequer, to be payable on demand to the respective proprietors thereof.

Exchequer bills, &c. to be repaid out of the sinking fund.

X. And be it further enacted by the authority aforesaid, That from and after the twenty fourth day of *June* one thousand seven hundred and fifty one, there shall be allowed upon the books of every ship of war in sea pay, one other seaman in every hundred men that the complement of such ship of war shall consist of, for such time only as the number of men employed in the service of the royal navy shall not exceed twenty thousand; and that the produce of the wages of each such seaman, and the value of his victuals, shall be given and applied to the relief of the poor widows of commission and warrant officers of the royal navy, according to such rules, orders and regulations as his Majesty hath established or appointed, or shall establish or appoint for that purpose, over and above the one seaman allowed them by an act of the sixth year of his present Majesty's reign; and the principal officers and commissioners of the navy

1 Man extraordinary in every 100. to be allowed on the books of ships of war in sea pay,

and his wages and value of his victuals, to be applied in relief of the widows of commission and warrant officers.

6Geo. 2. c. 25. royal f. 18.

royal now and for the time being, and all other persons herein concerned, shall and are hereby authorized and impowered to give allowance on such ships books, of the said one other man in every hundred men, borne thereupon accordingly.

Appropriation of the monies of the malt act, &c.

XI. Provided always, and it is hereby further enacted by the authority aforesaid, That all the monies coming into the exchequer either by loans or exchequer bills, upon one act of this session of parliament (intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry for the service of the year one thousand seven hundred and fifty one*) and so much money, if any such be, of the duties thereby granted as shall arise or remain after all the loans or exchequer bills made or to be made on the same act, and all the interest, *Premium*, rate and charges thereupon, and the charges thereby allowable for raising the said duties shall be satisfied, or monies sufficient shall be reserved in the exchequer to satisfy and discharge the same; and also all the monies coming into the exchequer either by loans or exchequer bills, upon one other act

Land tax,

of this session of parliament (intituled, *An act for granting an aid to his Majesty by a land-tax to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty one*) and so much monies, if any such be of the tax thereby granted, as shall arise or remain after the loans or exchequer bills made or to be made on the same act, and all the interest, *Premium*, rate and charges thereupon, and the charges thereby allowable for raising the said land tax shall be satisfied, or money sufficient shall be reserved in the exchequer to discharge the same; and also all the monies coming into the exchequer by contributions for annuities and a lottery, after the rate of three pounds *per centum per annum*, granted by one other act of this present session

Lottery act,

of parliament (intituled, *An act for granting to his Majesty the sum of two millions one hundred thousand pounds, to be raised by annuities and a lottery, and charged on the sinking fund, redeemable by parliament*) and also all the monies coming into the exchequer by exchequer bills to be made forth in pursuance of one other act of this present session of parliament (intituled, *An act for enabling his Majesty to raise the several sums of money therein mentioned by exchequer bills, to be charged on the sinking fund; and for impowering the commissioners of the treasury to pay off the old and new*

and sinking fund,

unsubscribed South-Sea annuities out of the supply granted to his Majesty for the service of the year one thousand seven hundred and fifty one; and for enabling the bank of England to hold general courts, and courts of directors, in the manner therein directed; and for giving certain persons liberty to subscribe bank and South-Sea annuities omitted to be subscribed pursuant to two acts of the last session of parliament) and also the sum of six hundred thousand pounds by this act granted; shall be further appropriated and are hereby appropriated for and towards the several uses and purposes herein after expressed; that is to say,

and the 600,000 l. granted by this act.

1,046,559 l.
7 s. 10 d. to-

XII. It is hereby enacted and declared by the authority aforesaid, That out of all or any of the aids of supplies provided as aforesaid

aforefaid, there fhall and may be ifsued and applied any fum or fums of money not exceeding one million forty fix thoufand five hundred and fifty nine pounds feven fhillings and ten pence, for or towards the naval fervices herein after more particularly expreffed; that is to fay, for or towards defraying the ordinary of his Majefty's navy, and for half-pay to fea officers, and for or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards fea fervices, in the office of ordnance, performed and to be performed, and for or towards the buildings, re-buildings and repairs of his Majefty's fhips for the year one thoufand feven hundred and fifty one, and for or towards paying off and difcharging fuch part of the debt of the navy as is due upon the head of feamens wages.

XIII. And it is hereby alfo enacted by the authority aforefaid, That out of all or any the aids or fupplies aforefaid, there fhall and may be ifsued and applied any fum or fums of money not exceeding ten thoufand pounds upon account, towards the fupport of the royal hofpital at *Greenwich*, for the better maintenance of the feamen of the faid hofpital, worn out and become decrepit in the fervice of their country.

XIV. And it is hereby alfo enacted, That out of all or any the aids or fupplies aforefaid, there fhall and may be ifsued and applied any fum or fums of money not exceeding one hundred and ten thoufand eight hundred and fifty pounds three fhillings and one penny, for or towards defraying the charge of the office of ordnance for land fervice for the year one thoufand feven hundred and fifty one, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land fervice, not provided for by parliament.

XV. And it is hereby likewise enacted, That out of all or any the aids or fupplies provided as aforefaid, there fhall and may be ifsued and applied any fum or fums of money not exceeding one million feventy feven thoufand three hundred and forty five pounds nineteen fhillings and one halfpenny, for and towards maintaining his Majefty's land forces, and other fervices herein after more particularly expreffed; that is to fay, any fum or fums of money not exceeding fix hundred and twelve thoufand three hundred and fifteen pounds feven fhillings and eleven pence, for defraying the charge of eighteen thoufand eight hundred and fifty feven effective men, including commiffion and non-commiffion officers, and one thoufand eight hundred and fifteen invalids, for guards, garrifons and other his Majefty's land forces in *Great Britain*, *Guernsey* and *Jerfey*, for the fervice of the year one thoufand feven hundred and fifty one; and any fum or fums of money not exceeding two hundred and thirty fix thoufand four hundred and twenty pounds eighteen fhillings and fix pence halfpenny, for maintaining his Majefty's forces and garrifons in the plantations, *Minorca* and *Gibraltar*, and for provisions for the garrifons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the year one thoufand feven

wards the
naval fervices.

10,000 l. to-
wards the
fupport of
Greenwich
hofpital.

110,850 l. 3 s.
1 d. towards
defraying the
charge of the
office of ord-
nance for
land fervice.

1,077,345 l.
19 s. 2 q. to-
wards the
land forces,

of which
612,315 l. 7 s.
11 d. for
guards, &c.
in *Great Bri-
tain*, *Guern-
sey* and *Jer-
fey*;

236,420 l. 18 s.
6 d. 2 q. for
garrifons, &c.
in the planta-
tions, *Minor-
ca* and *Gi-
braltar*, *No-
va Scotia*,

Newfound-
land and
Providence.
62,567 l. 2 s.
6 d. to out-
pensioners of
Chelsea hospi-
tal ;
64,000 l. to
the reduced
officers ;

3,310 l. to the
reduced offi-
cers widows,
&c.

4,747 l. 15 s.
10 d. to the
two troops of
horse guards,
and regiment
of horse re-
duced, &c.

16,000 l. for
general and
staff officers ;

30,000 l. to
the elector of
Bavaria ;

47,984 l. 14 s.
3 d. towards
expenses of
the land
forces in
1750.

57,582 l. 19 s.
3 d. 2 q. for
charges of
transporting,
&c. to Nova
Scotia a num-
ber of re-
duced officers
and men ;

hundred and fifty one ; and any sum or sums of money not exceeding sixty two thousand five hundred and sixty seven pounds two shillings and six pence, upon account for out-pensioners of *Chelsea* hospital, for the year one thousand seven hundred and fifty one ; and any sum or sums of money not exceeding sixty four thousand pounds, upon account of the reduced officers of his Majesty's land forces and marines for the year one thousand seven hundred and fifty one, subject to such rules to be observed in the application of the said half-pay, as are hereafter prescribed concerning the same ; and any sum or sums of money not exceeding three thousand three hundred and ten pounds, for paying of pensions to the widows of such reduced officers of his Majesty's land forces and marines as died upon the establishment of half-pay in *Great Britain*, and who were married to them before the twenty fifth day of *December* one thousand seven hundred and sixteen, for the year one thousand seven hundred and fifty one ; which said sum of three thousand three hundred and ten pounds shall be issued to such person or persons as his Majesty shall, by warrant or warrants under his Majesty's royal sign manual, direct and appoint to receive the same, to be by him or them paid over to such widows of half-pay officers, or their assigns, according to such establishments, lists or other directions, and with and subject to such conditions, qualifications and other allowances for the same as his Majesty, by such and the like warrant or warrants, shall be graciously pleased to direct and appoint ; and any sum or sums of money not exceeding four thousand seven hundred and forty seven pounds fifteen shillings and ten pence, for defraying the charge for allowances to the several officers and private gentlemen of the two troops of horse guards, and regiment of horse reduced, and to the superannuated gentlemen of the four troops of horse guards for the year one thousand seven hundred and fifty one ; and any sum or sums of money not exceeding sixteen thousand pounds, for the pay of the general and staff officers of his Majesty's land forces for the year one thousand seven hundred and fifty one ; and any sum or sums of money not exceeding thirty thousand pounds, to enable his Majesty to make good his engagements with the elector of *Bavaria*, pursuant to treaty ; and any sum or sums of money not exceeding forty seven thousand nine hundred and eighty four pounds fourteen shillings and three pence, for defraying the extraordinary expenses of his Majesty's land forces and other services incurred in the year one thousand seven hundred and fifty, and not provided for by parliament.

XVI. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding fifty seven thousand five hundred and eighty two pounds nineteen shillings and three pence halfpenny, upon account, for defraying the charges incurred by transporting to his Majesty's colony of *Nova Scotia* and supporting and maintaining there a number of reduced officers and private men dismissed his Majesty's land and sea service, and other his Ma-
jesty's

Majesty's subjects, settled in the said colony in the year one thousand seven hundred and forty nine, and by supporting, maintaining and enlarging the settlement of his Majesty's said colony in the year one thousand seven hundred and fifty, and not provided for by parliament; and any sum or sums of money not exceeding fifty three thousand nine hundred and twenty seven pounds fourteen shillings and four pence upon account, for supporting and maintaining his Majesty's colony of *Nova Scotia* for the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding ten thousand pounds, towards the support of the *British* forts and settlements upon the coast of *Africa*, to be applied in such manner as his Majesty shall think proper; and any sum or sums of money not exceeding three thousand pounds towards laying out, making and keeping in repair, a road proper for the passage of troops and carriages between the city of *Carlisle* and the town of *Newcastle upon Tyne*.

53,927 l. 24 s. 4 d. for supporting the said colony for the year 1751.

10,000 l. towards the settlements on the coast of *Africa*.

3,000 l. towards making a road from *Carlisle* to *Newcastle*.

XVII. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding two millions two hundred and seventy six thousand eight hundred and ninety three pounds eleven shillings and seven pence, to pay off and discharge the unsubscribed *Old* and *New* annuities, after the rate of four pounds *per centum per annum*, transferrable at the *South-Sea* house, commonly called *Old* and *New South-Sea* annuities, at the stated times mentioned in one other act of this present session of parliament in that behalf.

2,276,893 l. 11 s. 7 d. to pay off the unsubscribed *South-Sea* annuities.

XVIII. And it is hereby declared by the authority aforesaid, That the sum of one million thirteen thousand one hundred and forty eight pounds four shillings and six pence, to be advanced by the governor and company of the bank of *England* for exchequer bills to be made forth in pursuance of the act herein before-mentioned in that behalf, shall be issued and applied to pay off and discharge the several unsubscribed exchequer orders payable there, out of the duties on wrought plate, and also the several unsubscribed annuities, after the rate of four pounds *per centum per annum*, transferrable at the bank of *England*, at the stated times appointed by the act herein before-mentioned in that behalf.

1,013,148 l. 4 s. 6 d. to be advanced by the bank, to pay off the unsubscribed exchequer orders, and four per cent. annuities.

XIX. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding six thousand four hundred and sixty one pounds one shilling and one penny, to replace to the sinking fund the like sum paid out of the same, to make good the deficiency of the additional stamp duties at *Christmas* one thousand seven hundred and forty nine; and any sum or sums of money not exceeding twelve thousand five hundred and thirty four pounds two shillings and one halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency

6,461 l. 1 s. 1 d. to make good the deficiency of the stamp duties.

12,534 l. 2 s. 2 q. to make good the duties on *swears*.

35,000l. for
interest on the
salt duties.

4,592 l. 16 s.
9 d. to make
good the ad-
ditional du-
ties on wines.

7,880 l. 17 s.
1 d. to make
good the duty
on licences
for retailing
spirituous
liquors.

30,422 l. 6 s.
3 d. to make
good the du-
ties on glafs
and spirituous
liquors at
Midsummer

1750.
70,097 l. 14 s.
8 d. to make
good the du-
ties on houses,
&c at
Michaelmas

1750.
42,559 l. 12 s.
7 d. 2 q. to
make good
the subsidy of
poundage on
goods import-
ed at Michael-
mas 1750.

65,797 l. 8 s.
11 d. 3 q. to
make good
the deficiency
of the grants
for 1750.

The supplies
to be applied
only as this
act directs.

ciency of the duty of twelve shillings a barrel on sweets or wines made from *British* or foreign fruit or sugar at *Michaelmas* one thousand seven hundred and fifty; and any sum or sums of money not exceeding thirty five thousand pounds, to replace to the said sinking fund the like sum paid out of the same, to answer one year's interest due at *Michaelmas* one thousand seven hundred and fifty, after the rate of three pounds ten shillings *per centum per annum* on the principal sum of one million lent on credit of the salt duties, which were continued for six years from *Lady-day* one thousand seven hundred and fifty three, towards the supply for the year one thousand seven hundred and forty five; and any sum or sums of money not exceeding four thousand five hundred and ninety two pounds sixteen shillings and nine pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the additional duties on wines at *Midsummer* one thousand seven hundred and fifty; and any sum or sums of money not exceeding seven thousand eight hundred and eighty pounds seventeen shillings and one penny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing spirituous liquors at *Lady-day* one thousand seven hundred and fifty; and any sum or sums of money not exceeding thirty thousand four hundred and twenty two pounds six shillings and three pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glafs and spirituous liquors at *Midsummer* one thousand seven hundred and fifty; and any sum or sums of money not exceeding seventy thousand and ninety seven pounds fourteen shillings and eight pence, to replace to the said sinking fund the like sums paid out of the same, to make good the deficiency of the rates and duties upon houses, windows and lights, at *Michaelmas* one thousand seven hundred and fifty; and any sum or sums of money not exceeding forty two thousand five hundred and fifty nine pounds twelve shillings and seven pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency at *Michaelmas* one thousand seven hundred and fifty, of the subsidy of poundage upon all goods and merchandizes imported into this kingdom since the first day of *March* one thousand seven hundred and forty seven; and any sum or sums of money not exceeding sixty five thousand seven hundred and ninety seven pounds eight shillings and eleven pence three farthings, to make good the deficiency of the grants for the service of the year one thousand seven hundred and fifty.

XX. And be it further enacted by the authority aforesaid, That the said aids and supplies provided as aforesaid, shall not be issued or applied to any use, intent or purpose whatsoever, other than the uses and purposes before mentioned, or for the several deficiencies or other payments directed to be satisfied thereout by any act or acts, or any particular clause or clauses for

for that purpose contained in any other act or acts of this present session of parliament.

XXI. And as to the said sum of sixty four thousand pounds by this act appropriated on account of half-pay as aforesaid, it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application of the said half-pay; that is to say, That no person shall have or receive any part of the same who was a minor, and under the age of sixteen years, at the time when the regiment, troop, or company in which he served was reduced; that no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop or company; that no person having any other place or employment of profit civil or military under his Majesty, shall have or receive any part of the said half-pay; that no chaplain of any garrison or regiment who has any ecclesiastical benefice in *Great Britain* or *Ireland*, shall have or receive any part of the said half-pay; that no person shall have or receive any part of the same, who has resigned his commission and has had no commission since; that no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons who would have been otherwise intitled to the same as reduced officers; and that no part of the same shall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately disbanded in *Ireland*, except to such as were lately taken off the establishment of half-pay in *Great Britain*.

Rules to be observed in the application of the half-pay.

XXII. And whereas by an act of parliament made in the twenty third year of his Majesty's reign, (intituled An act for granting to his Majesty the sum of nine hundred thousand pounds out of the sinking fund for the service of the year one thousand seven hundred and fifty, and for applying certain surplus monies remaining in the exchequer, as part of the supply of the said year, and for the application of certain savings in the hands of the pay-master general; and for obviating a doubt in an act of the fifth year of King George the First, in respect to the payment of certain annuities thereby granted for the improvement of fisheries and manufactures in *Scotland*, and for the further appropriating the supplies granted this session of parliament, and for giving further time for the payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices, and for transferring the bounties now payable upon the exportation of *British* sail cloth to the customs, and for enforcing the laws against the clandestine importation of soap, candles and starch into this kingdom) several supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several uses and purposes therein expressed, amongst which any sum or sums of money not exceeding sixty seven thousand pounds, was appropriated to be paid to the reduced officers of his Majesty's land forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as in and by the aforesaid act were prescribed in that

23 Geo. 2. c. 21.

Overplus of 67,000 l. appropriated to the reduced officers, to be applied to such objects of charity as his Majesty shall direct.

behalf; now it is hereby provided, enacted and declared by the authority aforesaid, That so much of the said sum of sixty seven thousand pounds, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed by the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of to such officers who are maimed, or lost their limbs in the late wars, or such others as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act, to the contrary notwithstanding.

Duplicates to be made forth of such exchequer bills, lottery tickets, certificates, orders of loan, or annuity orders, as shall be lost, or otherwise destroyed.

XXIII. *And whereas several bills, commonly called exchequer bills, several tickets in the publick lotteries, and certificates made forth in lieu thereof, and likewise several orders of loan, and orders for annuities of several denominations payable at the receipt of his Majesty's exchequer, made forth by authority of parliament, have been or may hereafter by casualty or mischance be lost, burnt, or otherwise destroyed*; be it therefore enacted by the authority aforesaid, That in all cases where it shall appear by affidavit to be made before any of the barons of the exchequer for the time being, (who shall interrogate the deponent thereupon) to the satisfaction of such baron or barons, That any such exchequer bills, lottery tickets, certificates, orders of loan or annuity orders as aforesaid, have been or shall hereafter be lost, burnt or destroyed, or that there be good reason to believe that the same have been lost, burnt or destroyed, it shall and may be lawful for the respective officers and persons appointed, to issue and make forth such exchequer bills, tickets, certificates, orders of loan, or annuity orders, or to pay or discharge the same, or to issue any monies thereon, upon producing a certificate from any of the said barons of such affidavit made before him or them, (which affidavit the said barons, or any of them, is and are hereby required to take, and which certificate he or they are hereby required to grant without fee or reward) and on sufficient security given to the King, his heirs and successors, to indemnify the said respective officers and persons against all other persons whatsoever, for and concerning the monies specified in or due upon such respective bill or bills, ticket or tickets, certificate or certificates, order or orders, they the said officers and persons respectively shall and are hereby required to make forth duplicates of the said bills, tickets, certificates and orders, at the request of the respective owners or proprietors thereof, and to pay and discharge the same, and all such interest as shall be due on any of them carrying interest, as he or they should have paid or discharged on the said original bills, tickets, certificates, orders of loan, or annuity orders, if the same had been produced; and shall be allowed all such payments in their respective accounts.

Commissioners of the treasury to

XXIV. And in all cases where the signing of the commissioners of his Majesty's treasury, or the high treasurer of Great Britain

tain for the time being, is neceſſary for making the ſaid duplicates, or any of them effectual, for the purpoſes aforeſaid; it is hereby further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners of his Maſteſty's treaſury, or any three or more of them, or the ſaid high treaſurer for the time being, to ſign ſuch duplicates accordingly.

XXV. *And whereas it may ſo happen that ſeveral of the ſaid orders of loan, and other orders for annuities of ſeveral denominations, payable at the ſaid receipt of exchequer, may become deſaced, obliterated or incumbered with many assignments indorſed thereupon, and it may be neceſſary that new orders ſhould be made forth in lieu thereof;* be it therefore further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners of the treaſury, or any three or more of them, or the high treaſurer for the time being, and they are hereby alſo impowered to cauſe new orders to be made out in lieu of ſuch reſpective orders as ſhall become deſaced, obliterated, or otherwiſe incumbered as aforeſaid, which ſaid reſpective orders ſhall at the ſame time be delivered up and cancelled, and the new order or orders made out in lieu thereof, ſhall be made payable and delivered to the perſon or perſons who ſhall appear to be the proprietor or proprietors of the ſaid order or orders, ſo to be delivered up and cancelled, at the time of ſuch delivery up as aforeſaid; and the auditor of the ſaid receipt of exchequer ſhall always take care that ſuch entries or memorandums be made upon the ſaid new orders, as may denote their being made in lieu of ſuch deſaced, obliterated, incumbered, or otherwiſe defective orders cancelled, and as may ſecure the publick againſt any double payments, for or by reaſon of the making out or iſſuing ſuch new orders in manner aforeſaid.

ſign ſuch duplicates.

New orders of loan, and for annuities, &c. to be made out in lieu of ſuch as ſhall be filled up with indorſements, or deſaced.

Entry to be made on the new orders.

CAP. XLVIII.

An act for the abbreviation of Michaelmas term.

WHEREAS in the beginning of the term of Saint Michael, commonly called Michaelmas term, very little buſineſs can be done, on account of the ſeveral holidays that are obſerved by the high courts of record of our ſovereign lord the King, between the firſt day of the ſaid term and the ſixth day of November following: therefore for the eaſe and benefit of his Maſteſty's ſubjects, may it pleaſe your moſt excellent Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the feaſt day of Saint Michael the archangel in the year of our Lord one thouſand ſeven hundred and fifty two, there ſhall be in Michaelmas term four common days of return only (that is to ſay) the firſt day of return thereof ſhall be and be called the morrow of All Souls; the ſecond day of return of the ſame term ſhall be and be called term;

After 29 September 1752, four common days of return only to be in Michaelmas

the morrow of Saint *Martin*; the third day of return of the same term shall be and be called In eight days of Saint *Martin*; and the fourth day of return of the same term shall be and be called In fifteen days of Saint *Martin*.

the same days
to be observed
in all the
courts.

No returns to
be from Mi-
chaelmas day
in 3 weeks,
nor from that
day in 1
month.
The term to
begin on the
morrow of All
Souls,

and the full
term on the
fourth day af-
ter, except
those days
shall happen
on a Sunday.

Days of re-
turns of writs.

II. And be it further enacted by the authority aforesaid, That the same days of returns shall be observed and kept in all the high courts of record of our sovereign lord the King, his heirs and successors, hereafter to be holden at *Westminster*, or other place or places, at the assignment or appointment of our sovereign lord the King, his heirs and successors; and that from and after the feast day of Saint *Michael* the Archangel in the year of our Lord one thousand seven hundred and fifty two, there shall not be nor be called any days of return from the day of Saint *Michael* in three weeks, nor from the day of Saint *Michael* in one month, nor either of them; and that the said term of Saint *Michael* yearly for ever, from and after the said feast of Saint *Michael* the Archangel one thousand seven hundred and fifty two, shall begin in and upon the said morrow of *All Souls* whensoever it shall happen to fall, (except it be on the Lord's day, commonly called *Sunday*) and then on the morrow next after for the keeping of essoigns, profers, returns, and other ceremonies heretofore used and kept, in like manner and form as hath been used to be done in the day of the return, commonly called From the day of Saint *Michael* in three weeks; and that the full term of Saint *Michael* shall yearly for ever, from and after the said feast of Saint *Michael* one thousand seven hundred and fifty two, in all the aforesaid courts of record, begin and take its commencement upon the fourth day of the said morrow of *All Souls*, (except it be on the Lord's day, commonly called *Sunday*) and then on the morrow next after.

III. And for the more speedy proceeding in writs of *Dever unde nihil habet*, and writs of entry for common recoveries to be sued and prosecuted by writs of entry or writs of right of advowson, and in all other real actions; be it enacted by the authority aforesaid, That after the feast of Saint *Michael* the Archangel one thousand seven hundred and fifty two coming, if any writ in any such action come in, and be returnable in his Majesty's court of *Common Pleas*, in the day of the return of the morrow of *All Souls*, then day shall be given in fifteen days of Saint *Martin*; if on the morrow of Saint *Martin*, then in eight days of Saint *Hilary*; if in eight days of Saint *Martin*, then in fifteen days of Saint *Hilary*; if in fifteen days of Saint *Martin*, then on the morrow of *The Purification*; if in eight days of Saint *Hilary*, then in eight days of *The Purification*; if in fifteen days of Saint *Hilary*, then in fifteen days of *Easter*; if on the morrow of *The Purification*, then in three weeks from the day of *Easter*; if in eight days of *The Purification*, then in one month from the day of *Easter*; if in fifteen days of *Easter*, then in five weeks from the day of *Easter*; if in three weeks from the day of *Easter*, then on the morrow of *The Ascension of our Lord*; if in one month from the day of *Easter*, then on the morrow of the

Hij

Holy Trinity; if in five weeks from the day of *Easter*, then in eight days of the *Holy Trinity*; if on the morrow of *The Ascension of our Lord*, then in fifteen days of *The Holy Trinity*; if on the morrow of *The Holy Trinity*, then in three weeks from the day of *The Holy Trinity*; if in eight days of *The Holy Trinity*, then on the morrow of *All Souls*; if in fifteen days of *The Holy Trinity*, then on the morrow of *Saint Martin*; if in three weeks of *The Holy Trinity*, then in eight days of *Saint Martin*.

IV. Provided nevertheless, and be it further enacted by the authority aforesaid, That in all writs of *Dower unde nihil habet*, after issue joined, it shall not be needful or requisite to have above fifteen days betwixt the teste and return of the *Venire facias*, or any other process to be sued out for the trial of the said issue, but that the writ of *Venire facias*, and other process, after issue joined, until judgment be given, having only fifteen days between the teste and return thereof, shall be good and effectual in law, as is used in personal actions; any law, statute or usage, to the contrary heretofore notwithstanding.

In writs of *Dower*, &c. after issue joined, 15 days sufficient between the teste and return of the *Venire*.

V. And it is hereby further enacted by the authority aforesaid, That from and after the said feast of *Saint Michael* the Archangel one thousand seven hundred and fifty two, all writs and process hereafter to be made out of any of his Majesty's courts at *Westminster*, and having day from the fourth day of the morrow of *The Ascension*, to the morrow of *The Holy Trinity*, shall be good and effectual in law, notwithstanding there be not fifteen days between the teste and the return of the said writs.

Writs, &c. having day from the fourth of the morrow of the *Ascension* to the morrow of the *Holy Trinity* to be good.

VI. And be it further enacted by the authority aforesaid, That all writs or process made, or to be made returnable upon the following returns, *videlicet*; in three weeks of *Saint Michael*, or from the day of *Saint Michael* in one month next following, or having days between either of the said returns, shall, by force and virtue of this act, have day unto the said morrow of *All Souls*, and the parties to the said writs and process shall then appear and plead and proceed thereupon to all intents and purposes, as if the said writs and process had been made returnable on the said morrow of *All Souls*.

Writs, &c. returnable in three weeks of *Saint Michael*, or in one month from that day,

to have day unto the morrow of *All Souls*.

VII. And be it further enacted, That all common writs, as well personal as mixt, which shall happen to be returnable in the said *Michaelmas* term, shall have and keep the said returns of the morrow of *All Souls*, the morrow of *Saint Martin*, in eight days of *Saint Martin*, and in fifteen days of *Saint Martin*, or any of them.

Days of return of common writs in the term.

VIII. And whereas before the making of this act, all writs of summons to warrant against the vouchers upon common recoveries had, in writs of entry and writs of right of advowson, were made for five returns inclusive; now for the more speedy perfecting of such recovery, be it enacted by the authority aforesaid, That from and after the said feast of *Saint Michael* the Archangel one thousand seven hundred and fifty two, all and every such writs of summons to warrant upon the appearance of the tenant to every

Writs of summons to warrant abridged to four returns inclu-

such

such writ of entry and writ of right of advowson, shall and may be made and abridged to four returns inclusive.

Courts to appoint special days of returns where usual,

IX. Provided always, and it is hereby further enacted by the authority aforesaid, That in such and like cases and process as special days have been used to be appointed and assigned and given for the return of writs and process, it shall be lawful to the justices of every the King's said courts of record for the time being, in all the process by them awarded, to assign and appoint special days of returns, as by them shall be thought convenient.

Days of assize in Darrein Presentment and Quare impedit, and the days to be given in attaint to stand. 5 Ed. 3. c. 6. 23 H. 8. c. 3.

X. Provided also, and be it enacted by the authority aforesaid, That the days of assize in *Darrein Presentment* and in a plea of *Quare impedit* limited and appointed by the statute of *Marlbridge*, and also the days to be given in attaint limited in the statute made in the fifth year of the reign of King *Edward* the Third, and also in the statute made in the three and twentieth year of the reign of the late King *Henry* the Eighth, being not contrary to the tenor of this act, shall be holden firm, and stand in their full force and effect.

The presenting and swearing the mayors of London to be on 9 November.

XI. And whereas by divers charters heretofore granted to the citizens of London, by his Majesty's royal predecessors Kings and Queens of England, it is directed that the mayor of the said city, after he is chosen, shall be presented and sworn before the King or Queen of England in their court of exchequer at Westminster, or before the barons of the said court: and whereas the said solemnity after every annual election of the said mayor, hath been usually kept and observed by the said city on the twenty ninth day of October, except the same fall on a Sunday, and then on the day following; be it enacted by the authority aforesaid, That from and after the said feast of Saint Michael, which shall be in the year of our Lord one thousand seven hundred and fifty two, the said solemnity of presenting and swearing the mayors of the city of London, after every annual election into the said office, in the manner and form heretofore used on the twenty ninth day of October, shall be kept and observed on the ninth day of November in every year, unless the same shall fall on a Sunday, and in that case on the day following; any rule or order in any of the charters of the said city, or the usage or customs thereof to the contrary notwithstanding.

24 Ed. 3. c. 7.

The day of assembling at the exchequer for ordaining sheriffs to be on the morrow of Saint Martin.

XII. And whereas by the abbreviation of Michaelmas term pursuant to this act, the morrow of All Souls will not be in full term, and thereby will prove inconvenient for the purpose of ordaining sheriffs pursuant to an act of parliament made in the fourteenth year of the reign of King *Edward* the Third, intituled, How long a sheriff shall continue in his office; be it therefore enacted by the authority aforesaid, That from and after the commencement of this act the same officers and persons, who by virtue of the said last mentioned act, or any other law or statute, ought to assemble at the exchequer yearly on the morrow of *All Souls*, for the ordaining or nominating of sheriffs, shall not assemble on that day, but instead thereof shall assemble yearly on the morrow of Saint

Saint Martin at the exchequer, in the like manner, and for the same intent and purpose.

C A P. XLIX.

An act for allowing further time to the commissioners appointed by and in pursuance of an act of the twenty third year of his present Majesty's reign, intituled, An act for extending and improving the trade to Africa, to inquire into the claims of certain creditors of the royal African company therein mentioned, and for the relief of David Crichton; and for restraining the said company from disposing of such of their effects as are therein mentioned; and for staying all suits for money due from or on the account of the said company, for the time therein mentioned.

WHEREAS by an act of parliament made and passed in the ^{23 Geo. 2. c. 31} twenty third year of the reign of his present Majesty (intituled, An act for extending and improving the trade to Africa) it was enacted, That the accomptant general of the high court of chancery for the time being, and such two of the other masters of the said court, as the lord high chancellor of Great Britain for the time being, or Lord keeper of the great seal of Great Britain for the time being, or the lords commissioners for the great seal of Great Britain for the time being, should from time to time nominate for that purpose, should be, and they were thereby constituted and appointed commissioners for examining into the claims of the creditors of the said royal African company; and to inquire and state how and when the same were respectively incurred, in such manner as in and by the said act is directed, together with their opinion of the justness and reasonableness of such debts respectively; and to lay the account of their proceedings before the parliament with all convenient speed: and where-as the said commissioners have laid an account of their proceedings before the parliament; but several claims of the company's officers and servants abroad, for salaries due to them, or for goods sold and delivered for the said company's use, and which are hereafter more particularly mentioned, for want of proper vouchers from abroad, could not be examined into within the time prescribed for that purpose by the said act; be it therefore enacted, &c.

The powers granted to the commissioners by the recited act to be in force, for stating the claims of the creditors herein named. Creditors to deliver in an account of their further demands, &c. by 1 December 1751. Commissioners to finish the examination of claims by 12 January, and to lay their proceedings before the parliament. African company not to dispose of any military stores, &c. for one year. Suits depending against the company stayed for one year. Stay of execution of judgment given by David Crichton to William Stead enlarged for one year.



CAP. L.

An act to enable his Maſteſty to make leaſes and copies of offices, lands and hereditaments, parcel of his dutchy of Cornwall, or annexed to the ſame.

His Maſteſty
enabled to
make leaſes,
and copies, of
offices, lands,
&c. parcel of
his dutchy of
Cornwall.

WHEREAS his moſt excellent Maſteſty now ſtands ſeized of the dutchy of Cornwall and the poſſeſſions thereof; and whereas ſome doubts may ariſe in relation to his Maſteſty's granting leaſes and making copies of offices, lands and hereditaments, parcel of his ſaid dutchy, or thereunto annexed or belonging; for obviating whereof, and for the eaſe and quiet of the minds of ſuch perſons as have taken, or ſhall hereafter take leaſes from his ſaid moſt excellent Maſteſty; and to the end that ſuch perſons may be ſure to have good and indeſeizable eſtates, and be encouraged to lay out monies in building and repairing, or otherwiſe improving the ſeveral lands and tenements to them demised or to be demised; be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That all leaſes and grants made or to be made by copy of court roll, according to the cuſtom of the reſpective manors or manors of the ſaid dutchy, or thereunto annexed or belonging; and all leaſes and grants to be made within ſeven years next enſuing, by letters patents or indentures under the great ſeal of *Great Britain*, or ſeal of the court of exchequer, or by copy of court roll according to the cuſtom of the reſpective manors, of any offices, meſſuages, parks, lands, tenements, or hereditaments (other than honours, lordſhips, or manors) parcel of the poſſeſſions of the ſaid dutchy of *Cornwall*, or annexed to the ſame, ſhall be good and effectual in law, according to the purport and contents of the ſame copies, leaſes and grants, againſt our ſovereign lord the King, his heirs and ſucceſſors, and againſt all and every other perſon or perſons that ſhall at any time hereafter have, inherit, or enjoy the ſaid dutchy by force of any act of parliament, or by other limitation whatſoever.

Leaſes to be
made for a
term of years
or lives,

and not to be
diſpunishable
of waſte,
and the uſual
or a reaſonable
rent to be re-
ſerved.

II. Provided always, That every ſuch leaſe or grant ſo made or to be made, be not for more than one, two or three lives, or for one and thirty years, or under, or for ſome term of years determinable upon one, two or three lives, and not above; and if ſuch leaſes or grants be made in reversion or expectancy, that then the ſame, together with the eſtates in poſſeſſion, do not exceed three lives, or the term of one and thirty years, and be not in any wiſe made diſpunishable of waſte; and ſo as upon every ſuch leaſe or grant be, or ſhall be reſerved the ancient or moſt uſual rent, or more, or ſuch rent as hath been reſerved, yielded or paid for the ſame manors, lands or hereditaments, for the greater part of twenty years next before the making of the ſaid leaſes; and where no ſuch rent hath been reſerved or payable, that then upon every ſuch leaſe there be, or ſhall be reſerved a reaſonable rent, not being under the twentieth part
of

of the clear yearly value of the manors, meſſuages, parks, lands, tithes, tenements or hereditaments contained in ſuch leaſe or grant; and all leaſes and grants otherwiſe made or to be made, ſhall be null and void.

III. And be it further ordained and enacted by the authority aforeſaid, That all covenants, conditions, reſervations and other agreements contained in every leaſe, grant or copy of court roll made, or to be made as aforeſaid, ſhall be good and effectual in law, according to the words and contents of the ſame, as well for and againſt them to whom the reverſions of the ſame lands, tenements and hereditaments ſhall come, as for and againſt them to whom the intereſt of the ſaid leaſes, grants or copies ſhall come reſpectively, as if our ſovereign lord the King's majeſty, at the time of making ſuch covenants, conditions and reſervations, and other agreements, were ſeized of an abſolute eſtate in fee ſimple in the ſame lands, tenements or hereditaments.

IV. Saving always, To all and every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, executors, adminiſtrators and aſſigns (other than to our ſaid ſovereign lord the King, and his heirs and ſucceſſors, and the duke and dukes of *Cornwall* for the time being, and his and their heirs, and all and every other perſon and perſons that ſhall hereafter have, inherit or enjoy the ſaid dukedom of *Cornwall*, by force of any act of parliament or other limitation whatſoever) all ſuch rights, titles, eſtates, cuſtoms, intereſts, tenures, claims and demands whatſoever, of what nature, kind or quality whatſoever, of, in, to, or out of the ſaid offices, lands, tenements or hereditaments, or any of them, as they or any of them had, or ought to have had, before the making of this act, to all intents and purpoſes, and in as large and ample manner and form, as if this act had never been had or made; this act or any thing herein contained to the contrary notwithstanding.

C A P. LI.

An act for encouraging the making of pott aſhes and pearl aſhes in the Britiſh plantations in America.

WHEREAS the making of pott aſhes and pearl aſhes in the Britiſh plantations in America would be advantageous to the trade of this nation, as great quantities thereof are uſed in the making of ſoap and other manuſactures of this kingdom, which at preſent being chiefly furniſhed from foreign parts, the ſupply of that neceſſary commodity is uncertain, and the price often exorbitant: may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty ninth day of September, one thouſand ſeven hundred and fifty one, the ſeveral and reſpective ſubſidies, cuſtoms, impoſitions, rates and duties now payable on pott aſhes or pearl aſhes made in and imported from

Reſervation in
the leaſes, &c.
deemed good,

Rights of
other perſons
ſaved.

No duties to
be paid on
pott or pearl

ashes imported from the British plantations.

Conditions to be observed in the importation of pott and pearl ashes.

Person loading pott or pearl ashes in America, to make oath before the collector, that the same are of the manufacture of the British colonies, &c.

and the master to bring a certificate from the officers, expressing the marks and number of packages, &c.

from his Majesty's colonies in *America* into any part of *Great Britain*, shall cease, determine and be no longer paid.

II. Provided always, and be it further enacted by the authority aforesaid, That a due entry shall be made of all pott ashes and pearl ashes which shall be made in, and imported from the said colonies into *Great Britain*, at the custom-house, at the time of the importation thereof, in the same manner and form (expressing the package, marks and numbers, together with the quantities of the respective goods) as was used and practised before the making of this act; and the same shall be landed in the presence of, and examined by the proper officer or officers of the customs appointed for that purpose; and shall be imported in ships or vessels that may lawfully trade to his Majesty's plantations, manned as by law is required; and on failure of the said conditions or directions herein before-mentioned, such pott ashes and pearl ashes shall be liable to the payment of the respective duties, as if this act had never been made.

III. Provided always, and be it further enacted by the authority aforesaid, That in order to intitle the importer and importers of pott ashes, or pearl ashes to the benefit of this act, every merchant or other person or persons whatsoever who shall, after the twenty ninth day of *September* one thousand seven hundred and fifty one, load any pott ashes or pearl ashes on board any ship or vessel in any of the *British* colonies or plantations in *America*, shall, before the clearing out of the said ship or vessel from thence, make proof on oath before the collector and comptroller of the customs, and naval officer, at the port or place where such pott ashes or pearl ashes shall be put on board, or any two of them, that the pott ashes or pearl ashes which he, she, or they hath or have shipped on board the said ship or vessel, is *bona fide* of the product and manufacture of some or one of the *British* colonies or plantations in *America*, expressing the exact quantity of such pott ashes or pearl ashes, and the parish or place in such plantation where the same was made, and by whom (which oath the said collector and comptroller of the customs, and naval officer, or any two of them, are hereby required and empowered to administer without fee or reward) and the master, commander, or other person taking charge of the ship or vessel on board which such pott ashes or pearl ashes shall be loaded, shall also bring with him a certificate or certificates from such collector and comptroller of the customs, and naval officer, or any two of them as aforesaid, under their hands and seals of office (which certificate or certificates such collector and comptroller of the customs and naval officer, are hereby required and directed to grant, without fee or reward) expressing the marks and number of casks or packages, also the weight and tale of the pott ashes and pearl ashes contained therein, and so shipped or loaded on board such ship or vessel, with the name or names place or places of abode of the exporter or exporters thereof, from the said *British* colonies or plantations in *America*, and the name or names, place or places of abode of such other person

or perſons who ſhall have ſworn the goods therein mentioned to have been the product and manufacture of the ſaid *Britiſh* colonies or plantations in *America*; which certificate or certificates the ſaid maſter, commander or other perſon taking charge of ſuch ſhip or veſſel ſhall, on his arrival in this kingdom, deliver to the collector, comptroller or other chief officer of his Maſteſty's cuſtoms at the port where he ſhall arrive at, or before the entry of the ſaid pott aſhes or pearl aſhes; and at the ſame time ſhall make oath before the ſaid collector, comptroller or chief officer of his Maſteſty's cuſtoms (who are hereby required and impowered to adminiſter the ſame, without fee or reward) that the ſaid caſks, and parcels and goods, contained in ſuch certificate are the ſame caſks, and parcels and goods, as were taken on board ſuch ſhip or veſſel in the ſaid *Britiſh* colonies or plantations in *America*; and if any pott aſhes or pearl aſhes of the product and manufacture of the *Britiſh* colonies or plantations in *America*, ſhall, after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and fifty-one, be imported as herein before-mentioned, without ſuch certificate ſigned and delivered as herein before required, and oath made as before directed, by the maſter, commander or other perſon taking charge of the ſhip or veſſel in which the ſame is imported, all ſuch pott aſhes and pearl aſhes ſhall be liable to the payment of the reſpective duties, as if this act had never been made; any thing herein before contained to the contrary notwithstanding.

which he is to deliver at his arrival to the collector, and make oath to the identity of the goods,

on failure thereof the duties to be paid.

IV. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, from and after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and fifty one, make, or cauſe to be made, an entry or entries of any foreign pott aſhes or pearl aſhes, under the name or deſcription of pott aſhes or pearl aſhes of the product or manufacture of any of the *Britiſh* colonies or plantations in *America*, or ſhall mix, or cauſe to be mixed, any foreign pott aſhes or pearl aſhes with pott aſhes or pearl aſhes of the product or manufacture of the *Britiſh* colonies or plantations in *America*, with intent to evade the duties payable on foreign pott aſhes, and pearl aſhes, every perſon or perſons ſo making, or cauſing to be made, ſuch entry or entries, or mixture, or cauſing ſuch mixture or mixtures to be made, ſhall forfeit and pay the ſum of fifty pounds for every ſuch offence, and all ſuch foreign pott aſhes and pearl aſhes; and in caſe of any mixture, the quantity ſo mixed, both of foreign and *Britiſh* plantation product and manufacture, or the value thereof, together with the caſks or other packages containing the ſame, ſhall be forfeited, and ſhall and may be ſeized and proſecuted, or the value thereof be ſued for by any officer or officers of his Maſteſty's cuſtoms.

Penalty of making an entry of foreign made goods under the denomination of the *Britiſh* plantations, or of mixing the ſame.

V. And be it enacted by the authority aforeſaid, That if any collector or comptroller of the cuſtoms, and naval officer, ſhall falſly make any ſuch certificate as herein before required or directed to be made, all and every ſuch perſon ſo offending ſhall, for every ſuch offence, forfeit and pay the ſum of two hundred pounds,

Penalty on falſe certificate;

and on false
oath ;

or counter-
feiting certi-
ficate.

Forfeitures,
how to be
prosecuted.

and applied.

Onus proban-
di to lie on
the owner.

Limitation of
actions.

General issue.

pounds, and also forfeit and lose his office, and be incapable of serving his Majesty, his heirs and successors, in any office or trust of profit ; or if any merchant, factor, trader, master or commander of any ship or vessel, or any other person or persons, shall falsly make any oath required by this act, every such offender shall incur the punishment inflicted by the laws of this realm for wilful and corrupt perjury ; and if any person shall knowingly counterfeit any such certificate as herein before is directed to be made, or publish the same, knowing it to be counterfeit, every such person so offending shall incur the punishment inflicted by the laws of this realm for forgery.

VI. And it is hereby further enacted by the authority aforesaid, That the several penalties and forfeitures by this act inflicted, shall and may be prosecuted, determined and recovered, by bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *exchequer* in *Scotland*, or in any of the courts of admiralty in his Majesty's plantations in *America* respectively ; wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed.

VII. And be it further enacted by the authority aforesaid, That all penalties and forfeitures by this act imposed, shall, if in *Great Britain*, be applied, one moiety to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons as shall seize, prosecute or sue for the same : and all such penalties and forfeitures as shall be incurred in his Majesty's plantations in *America*, shall be applied, one third part thereof to the use of his Majesty, his heirs and successors, one third part to the use of the governor of the plantation where the forfeiture shall be incurred, and the remaining third part to such person or persons who shall seize, prosecute, or sue for the same.

VIII. Provided always, That if any doubt or dispute shall arise, whether the said pott ashes, or pearl ashes, or any part thereof, so to be imported as aforesaid, is of the product and manufacture of the *British* colonies or plantations in *America*, or of foreign product or manufacture, the *Onus Probandi* shall lie on the owner or claimer thereof, and not on the informer or prosecutor ; any law, custom or usage to the contrary notwithstanding.

IX. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, every such action or suit shall be commenced within six months next after the fact committed ; and the defendant or defendants, in any such action or suit, may plead the general issue, and give this act, and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act ; and if it shall appear so to have been done, the jury shall find for the defendant or defendants ; and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared ;

peared; or if judgment ſhall be given upon any verdict or demurrer againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame as defendants have in other caſes by law.

C A P. LII.

An act for continuing ſeveral laws therein mentioned, relating to the Premiums upon the importation of maſts, yards, and bowsprits, tar, pitch and turpentine; to Britiſh made ſail cloth, and the duties payable on foreign ſail cloth; and to the allowance upon the exportation of Britiſh made gunpowder.

WHEREAS the laws herein after mentioned, are found to be very uſeful and beneficial to the publick, and are ſo near expiring, that it is fit they ſhould now be continued; be it therefore enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That ſo much of an act made in the ſecond year of the reign of his preſent Majeſty, intituled, *An act for the better preſervation of his Majeſty's woods in America, and for the encouragement of the importation of naval ſtores from thence; and to encourage the importation of maſts, yards and bowsprits, from that part of Great Britain called Scotland, as relates to the Premiums upon maſts, yards and bowsprits, tar, pitch and turpentine*, which was made to be in force from the twenty ninth day of September one thouſand ſeven hundred and twenty nine, for the ſpace of thirteen years, and to the end of the then next ſeſſion of parliament; and which by another act made in the thirteenth year of the reign of his preſent Majeſty, was further continued until the twenty fifth day of December one thouſand ſeven hundred and fifty, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued from the time therein limited for the expiration thereof, unto the twenty fifth day of December one thouſand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament.

2 Geo. 2. c. 35. for encouraging the importation of naval ſtores from America, &c.

continued by 13 Geo. 2. c. 28. further continued unto 25 December 1751. See 25 Geo. 2. c. 35.

II. Provided, That no bounty ſhall be paid on any tar, unleſs each barrel thereof ſhall contain thirty one gallons and an half, and that the officers who ſurvey ſuch barrel, ſhall not ſurvey the ſame, till the water ſhall be all drawn off, and every barrel filled up with tar.

No bounty on tar, unleſs each barrel contain 31 gallons and an half, &c.

III. And be it further enacted by the authority aforeſaid, That an act made in the ninth year of the reign of his preſent Majeſty, intituled, *An act for the further encouraging and regulating the manufacture of Britiſh ſail cloth, and for the more effectual ſecuring the duties now payable on foreign ſail cloth imported into this kingdom*, which was to be in force from the twenty fourth day of June one thouſand ſeven hundred and thirty ſix, for the ſpace of five years, and to the end of the then next ſeſſion of parliament.

9 Geo. 2. c. 37. for encouraging the manufacture of Britiſh ſail cloth, &c.

continued by
13 Geo. 2. c.
28.

further conti-
nued unto 25
Dec. 1757.

4 Geo. 2. c.
29. for an al-
lowance on
exportation of
British gun-
powder,

continued by
10 Geo. 2. c.
27. and 16
Geo. 2. c. 26.

further conti-
nued to 24
June, 1757.

parliament; and which by another act made in the thirteenth year of the reign of his present Majesty, was further continued until the twenty fifth day of *December* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be and the same is hereby further continued from the time therein limited for the expiration thereof, unto the twenty fifth day of *December*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

IV. And be it further enacted by the authority aforesaid, That an act made in the fourth year of the reign of his present Majesty, (intituled, *An act for granting an allowance upon the exportation of British made gunpowder*) which was to continue in force for five years from the twenty fourth day of *June* one thousand seven hundred and thirty one, and from thence to the end of the then next session of parliament, and which by another act made in the tenth year of the reign of his present Majesty, was further continued for seven years, and from thence to the end of the then next session of parliament, and which by another act made in the sixteenth year of the reign of his present Majesty, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof, until the twenty fourth day of *June*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

CAP. LIII.

An act to regulate and restrain paper bills of credit in his Majesty's colonies or plantations of Rhode Island and Providence plantations, Connecticut, the Massachusetts Bay, and New Hampshire in America; and to prevent the same being legal tenders in payments of money.

6 Ann. c. 30.

WHEREAS the act of parliament made in the sixth year of her late majesty Queen Anne, intituled, *An act for altering the rate of foreign coins in her Majesty's plantations in America*, hath been entirely frustrated in his Majesty's said colonies of Rhode Island and Providence plantations, Connecticut, the Massachusetts Bay, and New Hampshire in America, by their creating and issuing, from time to time, great quantities of paper bills of credit, by virtue of acts of assembly, orders, resolutions or votes, made or passed by their respective assemblies, and making legal the tender of such bills of credit in payment for debts, dues and demands; which bills of credit have, for many years past, been depreciating in their value, by means whereof all debts of late years have been paid and satisfied with a much less value than was contracted for, which hath been a great discouragement and prejudice to the trade and commerce of his Majesty's subjects, by occasioning confusion in dealings, and lessening of credit in these parts: therefore, for the more effect-
tual

tual preventing and remedying of the said inconveniencies, may it please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty ninth day of *September* one thousand seven hundred and fifty one, it shall not be lawful for the governor, council or assembly for the time being, or any of them, or for the lieutenant governor, or person presiding or acting as governor or commander in chief, for the time being, within all or any of the aforesaid colonies or plantations of *Rhode Island*, and *Providence* plantations, *Connecticut*, the *Massachusetts Bay*, and *New Hampshire*, to make or pass, or give his or their assent to the making or passing of any act, order, resolution, or vote, within any of the said colonies or plantations, whereby any paper bills or bills of credit, of any kind or denomination whatsoever, shall be created or issued under any pretence whatsoever; or whereby the time limited, or the provision made for the calling in, sinking or discharging of such paper bills, or bills of credit, as are already subsisting and passing in payment, within any of the said colonies or plantations, shall be protracted or postponed; or whereby any of them shall be depreciated in value, or whereby the same shall be ordered or allowed to be re-issued, or to obtain a new and further currency; and that all such acts, orders, resolutions or votes, which shall or may be passed or made, after the said twenty ninth day of *September* one thousand seven hundred and fifty one, within all or any of the said colonies or plantations, shall be, and are hereby declared to be null and void, and of no force or effect whatsoever.

No act to pass for creating paper bills of credit.

or for protracting the time for the calling in such,

or for depreciating or re-issuing the same.

II. And be it further enacted by the authority aforesaid, That all such paper bills, or bills of credit, as are now subsisting, and passing in payments, within any of the said colonies or plantations of *Rhode Island*, and *Providence* plantations, *Connecticut*, *Massachusetts Bay* and *New Hampshire*, shall be duly and punctually called in, sunk and discharged, according to the tenor of and within the periods limited by the respective acts, orders, votes or resolutions, for creating and issuing, or continuing the same respectively, unless where the same have been altered by any subsequent act or acts of assembly; and in that case, that the same be discharged according to the tenor mentioned in the said act or acts of assembly; and that no such paper bills, or bills of credit, shall, from and after such periods so limited, as aforesaid, be any longer current in all or any of the said colonies or plantations respectively.

Bills of credit now subsisting, to be called in.

III. Provided nevertheless, That nothing in this act contained shall extend, or be construed to extend, to restrain any governor or governors, council or assembly, within any of the said colonies or plantations, from making or passing any act or acts of assembly in any of the said colonies or plantations, for the purpose of creating

Acts may pass for issuing bills of credit for the current service of the year, &c.

creat-

creating and iffuing of fuch paper bills, or bills of credit, in lieu of, and for fecuring fuch reasonable fum or fums of money, as fhall be requifite for the current fervice of the year; fo as by fuch act or acts of afsembly, whereby fuch paper bills, or bills of credit, fhall be created or iffued, fufficient provision be made to fecure the calling in, difcharging and finking of the fame, within a fhort reasonable time, not exceeding the fpace of two years, to be computed from the dates of the refpective acts whereby fuch paper bills, or bills of credit, were created and iffued; any thing herein before contained to the contrary thereof in any wife notwithstanding.

and for extraordinary emergencies, in cafe of war or invasion.

IV. Provided alfo, That nothing herein contained fhall extend, or be conftrued to extend to refrain any governor or governors, council or afsembly, within any of the faid colonies or plantations, from making or paffing any act or acts of afsembly, in any of the faid colonies or plantations, for creating and iffuing fuch paper bills, or bills of credit, in lieu of and for fecuring fuch reasonable fum or fums of money as fhall, at any time hereafter, be neceffary or expedient upon fudden and extraordinary emergencies of government, in cafe of war or invasion, fo as in every fuch act or acts of afsembly for the emission of paper bills, or bills of credit, fo iffued as aforefaid, due care be taken to afcertain the real value of all fuch principal fum or fums for which the fame fhall be fo made, created and iffued as aforefaid, and alfo the intereft to be paid thereon; and fo as care be likewise taken, in the faid act or acts, to eftablifh and provide an ample and fufficient fund for the calling in, difcharging and finking, within as fhort and reasonable a time as may be, not exceeding five years at the fartheft, all the faid bills, by actual payment of all and every the fum and fums of money for which the fame fhall be fo made, created and iffued as aforefaid, with the intereft due thereon.

V. *And whereas there are now fubfifting and paffing in payment, within the faid colonies and plantations, divers kinds of paper bills, or bills of credit, of various denominations, which have been heretofore created and iffued within the faid colonies and plantations, or fome of them, on loans and otherwife, whereby private perfons and their eftates ftand liable to, and bound for the difcharge of the fums by them borrowed and received on fuch loans; without the payment of which fums (in cafe any difficulty or obfttruction fhould arife in the payment thereof) fuch paper bills, or bills of credit fo iffued on fuch loans, cannot be called in, difcharged and funk, according to the tenor of the refpective acts, orders, votes or refolutions, by virtue whereof the fame have been fo refpectively iffued: for the providing a remedy for fuch inconveniencies, be it further enacted by the authority aforefaid, That all fuch paper bills, or bills of credit, of what kind or denomination foever, which have at any time heretofore been created and iffued on fuch loans, within any of the faid colonies and plantations, be duly called in, and difcharged and funk, according to the tenor of the refpective acts, orders, votes or refolutions, for creating and iffuing, or continuing the fame*

Bills of credit on loans, to be called in.

ſame reſpectively, in like manner as all other paper bills or bills of credit, already ſubſiſting within the ſaid colonies or plantations, are herein before required to be called in, diſcharged and ſunk.

VI. And be it further enacted by the authority aforeſaid, That all perſons who have borrowed and taken up any ſum or ſums of money on loans, for the diſcharge whereof they and their reſpective eſtates ſtand bound, ſhall be required and compelled, by all due and legal means, to ſatiſfy and diſcharge the ſums by them borrowed, according to the terms of ſuch loans reſpectively, and the true intent and meaning thereof, except as is herein before excepted; and in caſe any deficiency or loſs ſhall happen by failure of the ſecurity ſo taken on ſuch loans reſpectively, that the ſame, and every part thereof, ſhall be ſupplied and made good by an adequate tax or impoſition, to be equally and rateably aſſeſſed, levied and raiſed within the ſaid colonies or plantations reſpectively, where ſuch loſs or deficiency ſhall ſo happen.

Perſons who have borrowed money on loans, &c. compellable to diſcharge the ſame.

VII. And be it further enacted by the authority aforeſaid, That from and after the twenty-ninth day of *September* one thouſand ſeven hundred and fifty-one, no paper currency, or bills of credit, of any kind or denomination, which may be made, created or iſſued in any of the ſaid colonies or plantations, purſuant to the provisions herein before made in this act, ſhall be a legal tender in payment of any private bargains, contracts, debts, dues or demands whatſoever, within the ſaid colonies or plantations, or any of them.

No paper currency to be deemed a legal tender,

VIII. Provided, That nothing herein contained ſhall extend, or be conſtrued to extend to make any of the bills now ſubſiſting in any of the ſaid colonies a legal tender.

IX. And be it further enacted by the authority aforeſaid, That if any governor or commander in chief for the time being, in all or any of his Maſteſty's ſaid colonies or plantations, whether comiſſioned by his Maſteſty, or elected by the people, ſhall, from and after the ſaid twenty ninth day of *September* one thouſand ſeven hundred and fifty one, give his aſſent to any act of aſſembly, order, reſolution or vote, for the emission or iſſuing of any paper bills, or bills of credit, of any kind or denomination whatſoever; or for prolonging the time limited for calling in and ſinking any ſuch paper bills, or bills of credit, as are now ſubſiſting and paſſing in payment; or for re iſſuing or depreciating the ſame, contrary to the true intent and meaning of this act; ſuch act, order, reſolution or vote, ſhall be *ipſo facto* null and void, and ſuch governor or commander in chief ſhall be immediately diſmiſſed from his government, and for ever after rendered incapable of any publick office or place of truſt.

Penalty on governor giving his aſſent to any act contrary to this act.

CAP. LIV.

An act for explaining, continuing and enforcing ſeveral laws therein mentioned, more effectually to prevent the ſpreading of the diſtemper which now rages amongſt the horned cattle in this kingdom.

C A P. LV.

An act for amending and making more effectual a clause in an act passed in the last session of parliament, for the apprehending of persons in any county or place upon warrants granted by justices of the peace of any other county or place.

23 Geo. 2. c. 26.
f. 11.

Person being
out of the ju-
risdiction of
the justice,
who shall grant
a warrant,

the justice
where such
persons shall
be, to indorse
the warrant,

WHEREAS by a clause in an act made in the twenty third year of his present Majesty's reign; it is amongst other things therein enacted, That from and after the twenty fourth day of June one thousand seven hundred and fifty, in case any person against whom a legal warrant shall be issued by any justice or justices of the peace, for any county, riding, division, city, liberty, town or place within this kingdom, shall escape or go into any other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, it shall and may be lawful for any justice of the peace of the county, riding, division, city, liberty, town or place to which such person shall have gone or escaped, to indorse such warrant, upon application made to him for that purpose, and to cause the person against whom the same shall have been issued, to be apprehended and sent to the justice or justices who granted such warrant, or to some other justice or justices of the county, riding, division, city, liberty, town or place from whence such person shall have gone or escaped, to the end that he or she may be dealt with according to law: and whereas such offender or offenders may reside or be in some other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, before the granting such warrant, and without escaping or going out of the county, riding, division, city, liberty, town or place after such warrant granted; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June one thousand seven hundred fifty one, in case any person, against whom a warrant shall be issued by any justice or justices of the peace of any county, riding, division, city, liberty, town or place within this kingdom, shall escape, go into, reside or be in any other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, it shall and may be lawful for any justice or justices of the peace of the county, riding, division, city, liberty, town or place where such person shall escape, go into, reside or be, and such justice or justices is and are hereby required, upon proof being made upon oath, of the hand writing of the justice or justices granting such warrant, to indorse his or their name or names on such warrant, which shall be a sufficient authority to the person or persons bringing such warrant, and to all other persons to whom such warrant was originally directed, to execute such warrant in such other county, riding, division, city, liberty, town or place out of

of the jurisdiction of the justice or justices granting such warrant as aforesaid, and to apprehend and carry such offender or offenders before the justice who indorsed such warrant, or some other justice or justices of such other county, riding, division, city, liberty, town or place where such warrant was indorsed, in case the offence for which such offender shall be so apprehended in such other county, riding, division, city, liberty, town or place as aforesaid, shall be bailable in law, and such offender shall be willing and ready to give bail for his appearance at the next assizes or general gaol delivery, or next general quarter-sessions of the peace, to be held in and for the county, riding, division, city, liberty, town or place where the offence was committed, such justice or justices of such other county, riding, division, city, liberty, town or place before whom such offender or offenders shall be brought, shall and may take bail of such offender or offenders, for his or their appearance at the next assizes or general gaol delivery, or at the next general quarter-sessions of the peace to be held in and for the county, riding, division, city, liberty, town or place where such offence was committed, in the same manner as the justices of the peace of the proper county, riding, division, city, liberty, town or place should or might have done in such proper county, riding, division, city, liberty, town or place; and the justice or justices of such other county, riding, division, city, liberty, town or place so taking bail as aforesaid, shall deliver the recognizance, together with the examination or confession of such offender or offenders, and all other proceedings relating thereto, to the constable, tythingman or other person or persons so apprehending such offender or offenders as aforesaid, who are hereby required to receive the same, and to deliver over such recognizance, examination and other proceedings to the clerk of assizes, or clerk of the peace of the county, riding, division, city, liberty, town or place where such offender or offenders is or are required to appear by virtue of such recognizance; and such recognizance, examination or confession shall be as good and effectual in law, to all intents and purposes, and of the same force and validity as if the same had been entered into, taken or acknowledged before a justice or justices of the peace in and for the proper county, riding, division, city, liberty, town or place where the offence was committed, and the same proceedings shall be had thereon; and in case such constable, tythingman or other person to whom such recognizance, examination, confession or other proceedings shall be so delivered as aforesaid, shall refuse or neglect to deliver over the same to the clerk of assizes, or clerk of the peace of the county, riding, division, city, liberty, town or place where such offender is required to appear by virtue of such recognizance, such constable, tythingman or other person shall forfeit the sum of ten pounds, to be recovered against him by bill, plaint or information, in any of his Majesty's courts at *Westminster*, by any person or persons who will prosecute or sue for the same; wherein no essoin, protection or wager of law shall

and the offender to be apprehended and brought before a justice where the warrant was indorsed,

and to deliver the recognizance, &c. to the constable,

to be delivered over to the clerk of assizes, or clerk of the peace.

Penalty on constable not delivering over.

If the offence be not bailable, &c.

the constable
to carry the
offender be-
fore some ju-
stice where the
offence was
committed.

shall be allowed, or more than one imparlance; and in case the offence for which such offender or offenders shall be apprehended and taken in any other county, riding, division, city, liberty, town or place shall not be bailable in law, or such offender or offenders shall not give bail for his appearance at the next assizes or general gaol delivery, or next general quarter-sessions of the peace, to be held in and for the county, riding, division, city, liberty, town or place where the offence was committed, to the satisfaction of the justice before whom such offender or offenders shall be brought in such other county, riding, division, city, liberty, town or place, then and in that case the constable, tythingman or other person or persons so apprehending such offender or offenders, shall carry and convey such offender or offenders before one of his Majesty's justices of peace of the proper county, riding, division, city, liberty, town or place where such offence was committed, there to be dealt with according to law.

Justice indor-
sing the war-
rant not liable
to action.

II. And it is hereby enacted by the authority aforesaid, That no action of trespass, false imprisonment, information or indictment, or other action shall be brought, sued, commenced or prosecuted by any person or persons whatsoever, against the justice or justices who shall indorse such warrant, for or by reason of his or their indorsing such warrant.

Action may
lie against the
justice origi-
nally granting
the warrant.

III. Provided nevertheless, That such person or persons shall be at liberty to bring or prosecute his or their action or suit against the justice or justices who originally granted such warrant, in the same manner as such person or persons might have done in case this act had not been made.

Clause 23 Geo.
2. c. 26. f. 11.
repealed.

IV. And it is hereby further enacted, That the said clause in the said recited act, and every thing in the said clause contained, shall from and after the said twenty fourth day of June be repealed.

CAP. LVI.

An act for ascertaining the admeasurement of wheat meal, or other corn or grain ground, for which a bounty is payable upon exportation; and for making allowances to the East-India company for their charges and expences in managing, paying and transferring their reduced annuities.

1 W. 3. ft. 1.
c. 12.

WHEREAS by an act of parliament made and passed in the first year of the reign of his late majesty King William the Third of glorious memory, (intituled, An act for the encouraging the exportation of corn) it is amongst other things enacted, That when malt or barley, Winchester measure, should be at four and twenty shillings per quarter or under, rye at two and thirty shillings per quarter or under, and wheat at eight and forty shillings per quarter or under, in any port or ports in this kingdom or dominion of Wales, every merchant or other person who should put on ship-board in English shipping, the master and two thirds of his mariners at least being his Majesty's subjects, any sort of the corn aforesaid, from any such ports where the rates shall not then be higher than as aforesaid, with

with the intent to export the said corn to parts beyond the seas, every such merchant or person so shipping off any of the aforesaid corn, and giving such certificate and bond as in the said act is mentioned, shall have and receive from such farmers, commissioners, collectors or other persons in any port respectively where the same corn shall be so shipped, for every quarter of barley or malt, ground or unground, two shillings and six pence; for every quarter of rye, ground or unground, three shillings and six pence; for every quarter of wheat, ground or unground, five shillings: and whereas by one other act of parliament made in the second year of his present Majesty's reign, (intituled, An act to ascertain the custom payable for corn and grain imported; for better ascertaining the price and quantity of corn and grain for which a bounty is payable upon exportation; for appropriating the supplies granted in this session of parliament; and for giving further time to clerks and apprentices to pay duties omitted to be paid for their indentures and contracts) it is amongst other things enacted, That the officers of the customs should be empowered to admeasure all corn and grain whereon there is an allowance payable for the exportation thereof, and for greater expedition therein, that such admeasurement should and might be by a tub or measure, containing four Winchester bushels; and that if such corn or grain intended to be exported, should be brought to be shipped off in sacks, that then the said officers are thereby impowered and required to make choice of two of those sacks, out of any number not exceeding twenty sacks, and so in proportion quantity, before the same shall be put on board for exportation, and thereby compute the quantity of corn so intended to be shipped for exportation, and according to such computation, the allowance or bounty-money should be paid to the exporter, for the whole quantity proportionably, upon his producing a certificate from the proper officer or officers of the customs, attesting the quantity and quality of the corn or grain so shipped for exportation, with a proviso that nothing therein should extend to alter the then practice, with respect to the manner of shipping corn from the port of London: and whereas the method above prescribed for the measuring of corn to be exported, does not particularly ascertain how wheat meal or other ground corn or grain, whereon there is a bounty, shall be measured for exportation: and whereas some doubts have arisen in several of the ports of this kingdom, with regard to the exportation of corn ground and unground, as to the manner of computation and admeasurement on the exportation thereof, and the bounty to be allowed thereon: and in order to reconcile all disputes and differences that may arise in relation thereto, and to make the practice uniform in the several ports of this kingdom, we your Majesty's most dutiful and loyal subjects the commons of Great Britain in parliament assembled, do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of August one thousand seven hundred and fifty one, the proper officers of his Majesty's customs shall be empowered to allow the same bounty to be allowed on the

2 Geo. 2. c. 18.

The same bounty to be allowed on the

exportation of
224 lb. of
wheat meal,
and other
ground corn,
as on four
buſhels of
wheat, &c.

Officer may
weigh 2 ſacks
out of 20, to
compute the
weight.

Bounty to be
paid the ex-
porter.

Treafury to
make allowan-
ces to the Eaſt
India compa-
ny, for their
charges in
making and
transferring
their reduced
annuities.

23 Geo. 2. c. 22.

toms ſhall, and they are hereby directed and impowered to allow the ſame bounty and no more, upon the exportation of two hundred and twenty four pounds weight of wheat meal, or other ground corn or grain whereon there is a bounty, as is allowed upon the exportation of four buſhels of wheat or other corn or grain unground, and ſo in proportion for any greater or leſſer quantity; and for greater expedition therein, in caſe ſuch wheat meal or other ground corn or grain ſhall be brought to be ſhipped off in ſacks, the proper officers may make choice of and weigh two ſacks out of any number not exceeding twenty ſacks; and ſo in proportion for any greater quantity of wheat meal, or other ground corn or grain, before or after the ſame ſhall be put on board for exportation, and thereby compute the weight of the wheat meal, or other ground corn or grain ſo ſhipped or intended to be ſhipped for exportation, by proportioning the ſame accordingly; and the bounty-money upon ſuch wheat meal, or other ground corn or grain, ſhall be paid to the exporter for ſo much and no more, upon his producing a certificate from the proper officer or officers of the cuſtoms, atteſting the true quantity, quality and weight thereof, according to the ſaid computation only, and not otherwiſe; any law, cuſtom or uſage to the contrary notwithstanding.

II. And be it further enacted by the authority aforeſaid, That the commiſſioners of his Maſteſty's treafury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treafury for the time being, ſhall, and they are hereby authorized and impowered, to make ſuch allowances to the united company of merchants of *England* trading to the *East-Indies*, as they ſhall think juſt and reaſonable for the charges and expences attending the receiving, paying, transferring and tranſacting the affairs of the ſeveral annuities, amounting to the principal ſum of three millions, created in purſuance of an act of the laſt ſeſſion of parliament, (intituled, *An act for giving further time to the proprietors of annuities, after the rate of four pounds per centum per annum, to ſubſcribe the ſame in the manner and upon the terms therein mentioned; and for redeeming ſuch of the ſaid annuities as ſhall not be ſo ſubſcribed, and for impowering the Eaſt-India company to raiſe certain ſums by transferrable annuities*) which ſaid allowances ſo to be made to the ſaid united company, ſhall be charged upon and paid out of the ſaid duties and revenues as are appropriated for the payment of the annuities aforeſaid.

CAP. LVII.

An act to continue ſeveral laws therein mentioned; for preventing theft and rapine on the northern borders of England; for the more effectual puniſhing wicked and evil-diſpoſed perſons going armed in diſguiſe, and doing injuries and violences to the perſons and properties of his Maſteſty's ſubjects, and for the more ſpeedy bringing the offenders to juſtice;

justice; for continuing two clauses to prevent the cutting or breaking down the bank of any river or sea bank; and to prevent the malicious cutting of hop-binds; for the more effectual punishment of persons maliciously setting on fire any mine, pit or delp of coal, or cannel coal; and of persons unlawfully hunting or taking any red or fallow deer in forests or chaces, or beating or wounding the keepers or other officers in forests, chaces or parks; for granting a liberty to carry sugars of the growth, produce or manufacture of any of his Majesty's sugar colonies in America, from the said colonies directly into foreign parts, in ships built in Great Britain, and navigated according to law; for preventing the committing of frauds by bankrupts; for giving further encouragement for the importation of naval stores from the British colonies in America; and for preventing frauds and abuses in the admeasurement of coals in the city and liberty of Westminster; and to make some further provisions in relation to the signing of certificates for the discharge of bankrupts.

WHEREAS the laws herein after-mentioned, which have by experience been found useful and beneficial, are near expiring; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That an act made in the thirteenth and fourteenth years of the reign of King Charles the Second, (intituled, *An act for preventing of theft and rapine upon the northern borders of England*) which by several acts hath from time to time been continued, and by an act made in the sixth year of the reign of his present Majesty, (for making perpetual several acts, and for other purposes therein mentioned) was further continued until the first day of *September* one thousand seven hundred and forty four, and from thence to the end of the then next session of parliament; and also several clauses, powers and authorities in the afore-mentioned act made in the sixth year of the reign of his present Majesty, for the more effectual preventing of theft and rapine upon the northern borders of *England*, and which by the said act were to continu: in force until the first day of *September* one thousand seven hundred and forty-four, and from thence to the end of the then next session of parliament; and which said act, together with the said several clauses, powers and authorities were, by an act made in the seventeenth year of his present Majesty's reign, further continued until the twenty-fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be and the same is hereby further continued from the expiration thereof, until the first day of *September* one thou-

13 & 14 Car. 2.
c. 22. for preventing theft upon the northern borders.

6 Geo. 2. c. 37.

17 Geo. 2. c. 40.

further continued to 1 Sep. and 1757.

sand seven hundred and fifty-seven, and from thence to the end of the then next session of parliament.

9 Geo. 1. c. 22.
for punishing
persons going
in disguise, &c.

II. And be it further enacted by the authority aforesaid, That an act made in the ninth year of the reign of his late majesty King George the First (intituled, *An act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and doing injuries and violences to the persons and properties of his Majesty's subjects, and for the more speedy bringing the offenders to justice*) which was to continue in force from the first day of *June* one thousand seven hundred and twenty three, for three years,

12 Geo. 1. c. 30.

and from thence to the end of the then next session of parliament; and which by an act made in the twelfth year of the reign of his said late Majesty, was continued from the expiration thereof, for five years, and from thence to the end of the

6 Geo. 2. c. 37.

then next session of parliament; and which by a clause in another act made in the sixth year of the reign of his present Majesty (for making perpetual several acts, and for other purposes therein mentioned) was further continued until the first day of *September* one thousand seven hundred and thirty six, and from thence to the end of the then next session of parliament; and

10 Geo. 2. c. 32.

which by another act made in the tenth year of the reign of his present Majesty, was further continued from the expiration thereof until the first day of *September* one thousand seven hundred and forty four, and from thence to the end of the then

17 Geo. 2. c. 40.

next session of parliament; and which by another act made in the seventeenth year of his present Majesty's reign, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof, until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further continued to 1 Sept.
1757.

Clause in
6 Geo. 2. c. 37.
f. 5. to prevent
the cutting
the banks of
rivers, &c.

III. And be it further enacted by the authority aforesaid, That a clause in an act made in the sixth year of the reign of his present Majesty (for making perpetual several acts, and for other purposes therein mentioned) to prevent the cutting or breaking down the bank of any river or sea bank, which was to continue in force during the continuance of an act made in the ninth year of the reign of his said late Majesty; and which by another act made in the tenth year of the reign of his present Majesty, was further continued during the continuance of the afore-mentioned act made in the ninth year of the reign of his said late Majesty; and which by another act made in the seventeenth year of his present Majesty's reign, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further continued to 1 September
1757.

IV. And

IV. And be it further enacted by the authority aforeſaid, That a clause in an act made in the ſixth year of the reign of his preſent Maſteſty (for making perpetual ſeveral acts, and for other purpoſes therein mentioned) to prevent the malicious cutting of hop-binds growing on poles in any plantation of hops, which was to continue in force during the continuance of an act made in the ninth year of the reign of his ſaid late Maſteſty; and which by another act made in the tenth year of the reign of his preſent Maſteſty, was further continued during the continuance of the afore-mentioned act made in the ninth year of the reign of his ſaid late Maſteſty; and which by another act made in the ſeventeenth year of his preſent Maſteſty's reign, was further continued until the twenty fourth day of *June* one thouſand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the firſt day of *September* one thouſand ſeven hundred and fifty ſeven, and from thence to the end of the then next ſeſſion of parliament.

Clause in 6 Geo. 2. c. 37. ſ. 6. to prevent the malicious cutting of Hop-binds, &c.

further continued to 1 September 1757.

V. And be it further enacted by the authority aforeſaid, That a clause in an act made in the tenth year of the reign of his preſent Maſteſty, for extending (during the continuance of the ſaid act made in the ninth year of the reign of his ſaid late Maſteſty) all the provisions in the laſt-mentioned act contained, for the more ſpeedy and eaſy bringing the offenders againſt the ſaid act to juſtice, and the perſons who ſhall conceal, aid, abet or ſuccour ſuch offenders; and for making ſatisfaction and amends to all and every the perſon and perſons, their executors and adminiſtrators, for the damages they ſhall have ſuſtained or ſuffered by any offender or offenders againſt the ſaid act; and for the encouragement of perſons to apprehend and ſecure ſuch offender and offenders; and for the better and more impartial trial of any indiſtment or information which ſhall be found commenced or proſecuted for any of the offences committed againſt the ſaid act, together with all reſtrictions, limitations and mitigations by the ſaid act directed, to all caſes of offences committed by unlawfully and maliciously breaking down or cutting down the bank or banks of any river, or any ſea bank, whereby any lands ſhall be overflowed or damaged; or by unlawfully and maliciously cutting any hop-binds growing on poles in any plantation of hops; or by wilfully and maliciously ſetting on fire, or cauſing to be ſet on fire, any mine, pit, or delph of coal, or cannel coal; and which by an act made in the ſeventeenth year of his preſent Maſteſty's reign, was further continued until the twenty fourth day of *June* one thouſand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the firſt day of *September*, one thouſand ſeven hundred and fifty ſeven, and from thence to the end of the then next ſeſſion of parliament.

Clause in 10 Geo. 2. c. 32. ſ. 4. &c. for extending the provisions for bringing offenders to juſtice, &c.

further continued to 1 September 1757.

VI. And be it further enacted by the authority aforeſaid, That

Clauses in 10
Geo. 2. c. 32.
for punifhing
the malicious
fetting on fire
any mines,
&c.

That feveral clauses in an act made in the tenth year of the reign of his prefent Majefty, for the more effectual punifhment of perfons maliciously fetting on fire any mine, pit or delph of coal, or cannel coal, or unlawfully hunting or taking any red or fallow deer in forefts or chaces, or beating or wounding the keepers, or other officers, in forefts, chaces or parks, which were to continue in force during the continuance of an act made in the ninth year of the reign of his faid late Majefty; and which by an act made in the feventeenth year of his prefent Majefty's reign, were further continued until the twenty fourth day of *June* one thoufand feven hundred and fifty one, and from thence to the end of the then next feflion of parliament, fhall be, and the fame are hereby further continued from the expiration thereof until the firft day of *September* one thoufand feven hundred and fifty feven, and from thence to the end of the then next feflion of parliament.

further conti-
nued to 1 Sep-
tember 1757.

12 Geo. 2. c.
30. for liberty
to carry fugars
from the Bri-
tish colonies to
foreign parts,
&c.

VII. And be it further enacted by the authority aforefaid, That an act made in the twelfth year of the reign of his prefent Majefty, (intituled, *An act for granting a liberty to carry fugars of the growth, produce or manufacture of any of his Majefty's fugar colonies in America, from the faid colonies direftly to foreign parts, in fhips built in Great Britain, and navigated according to law*) which was to continue in force for five years, from the twenty ninth day of *September* one thoufand feven hundred and thirty nine, and from thence to the end of the then next feflion of parliament; and which by another act made in the feventeenth year of the reign of his prefent Majefty, was further continued until the twenty fourth day of *June* one thoufand feven hundred and fifty one, and from thence to the end of the then next feflion of parliament, fhall be, and the fame is hereby further continued from the expiration thereof until the firft day of *September* one thoufand feven hundred and fifty feven, and from thence to the end of the then next feflion of parliament.

17 Geo. 2. c. 40.

further conti-
nued to 1 Sep-
tember 1757.

5 Geo. 2. c. 30.
to prevent the
committing of
frauds by
bankrupts,

VIII. And be it further enacted by the authority aforefaid, That an act made in the fifth year of the reign of his prefent Majefty, (intituled, *An act to prevent the committing of frauds by bankrupts*) which was to continue in force for three years, from the twenty fourth day of *June* one thoufand feven hundred and thirty two, and from thence to the end of the then next feflion of parliament; and which by an act made in the ninth year of the reign of his prefent Majefty, was further continued until the twenty ninth day of *September* one thoufand feven hundred and forty three, and from thence to the end of the then next feflion of parliament; and which by another act made in the fixteenth year of the reign of his prefent Majefty, was further continued until the twenty ninth day of *September* one thoufand feven hundred and fifty, and from thence to the end of the then next feflion of parliament, fhall be, and the fame is hereby further continued from the expiration thereof until the firft day of *September* one thoufand feven hundred and fifty feven,

9 Geo. 2. c. 18.

16 Geo. 2. c. 27.

further conti-
nued to 1 Sep-
tember 1757.

ven, and from thence to the end of the then next ſeſſion of parliament.

IX. And whereas many abuſes have been committed by bankrupts, and perſons who, with their privity, have attempted to prove fictitious and pretended debts under commiſſions of bankruptcy, in order that ſuch perſons might be enabled to ſign their conſent to the certificates for diſcharging ſuch bankrupts from their debts: for remedy whereof, and in order to prevent the like fraudulent and wicked practices for the future, be it enacted by the authority aforeſaid, That where any perſons ſhall fraudulently ſwear or depoſe, or being of the people called *Quakers* affirm, before the major part of the commiſſioners named in any commiſſion of bankruptcy, or by affidavit or affirmation exhibited to them, that a ſum of money is due to him or her from any bankrupt or bankrupts, which ſhall in fact not be really and truly ſo due or owing; and ſhall, in reſpect of ſuch fictitious and pretended debt, ſign his or her conſent to the certificate for ſuch bankrupt's diſcharge from his debts; that in every ſuch caſe, unleſs ſuch bankrupt ſhall, before ſuch time as the major part of the ſaid commiſſioners ſhall have ſigned ſuch certificate, by writing by him to be ſigned and delivered to one or more of the ſaid commiſſioners, or to one or more of the aſſignees of his eſtate and effects under ſuch commiſſioners, diſcloſe the ſaid fraud, and object to the reality of ſuch debt, ſuch certificate ſhall be null and void to all intents and purpoſes, and ſuch bankrupt ſhall not in that caſe be intitled to be diſcharged from his debts, or to have or receive any of the benefits or allowances given or allowed to bankrupts by the ſaid act of the fifth year of his preſent Maſteſty's reign; any thing therein contained to the contrary thereof in any wiſe notwithstanding.

Perſons ſwearing to a fictitious debt from a bankrupt,

and ſigning the certificate;

unleſs the bankrupt ſhall diſcloſe the fraud,

the certificate to be null, &c.

X. And it is hereby enacted, That where any creditor or attorney of ſuch creditor, atteſted by a notary publick in the uſual form, ſhall be a ſufficient evidence of the power and authority by which any perſon thereby authorized ſhall ſign any bankrupt's certificate; any thing in the ſaid act of the fifth year of his preſent Maſteſty's reign to the contrary thereof in any wiſe notwithstanding.

Letter of attorney from creditor in foreign parts, to authorize ſigning certificate.

XI. And be it further enacted by the authority aforeſaid, That ſo much of an act made in the eighth year of the reign of his late maſteſty King George the Firſt (intituled, *An act for giving further encouragement for the importation of naval ſtores, and for other purpoſes therein mentioned*) as relates to the importation of wood and timber, and of the goods commonly called *Lumber*, therein particularly enumerated, from any of his Maſteſty's *Britiſh* plantations or colonies in *America*, free from all cuſtoms and impoſitions whatſoever, which was to be in force for twenty one years from the twenty fourth day of *June* one thouſand ſeven hundred and twenty two; and which by an act made in the ſixteenth year of the reign of his preſent Maſteſty was further continued until the twenty fourth day of *June* one thouſand ſeven

Part of 8 Geo. 1. c. 12. for encouraging the importation of naval ſtores, &c.

16 Geo. 2. c. 16.

further continued to 1 September 1757.

seven hundred and fifty, and from thence to the end of the then next feflion of parliament, fhall be, and the fame is hereby further continued from the expiration thereof until the firft day of *September* one thoufand feven hundred and fifty feven, and from thence to the end of the then next feflion of parliament.

19 Geo. 2. c. 35. to prevent frauds in the admeafurement of coals in Weftminfter, &c.

XII. And be it further enacted by the authority aforefaid, That an aét made in the nineteenth year of the reign of his prefent Majefty, (intituled, *An aét more effectually to prevent the frauds and abufes committed in the admeafurement of coals within the city and liberty of Weftminfter, and that part of the dutchy of Lancafter adjoining thereunto, and the feveral parifhes of Saint Giles in the Fields, Saint Mary le Bon, and fuch part of the parifh of Saint Andrew, Holborn, as lies in the county of Middlefex*) which was to continue in force from the twenty fourth day of *September* one thoufand feven hundred and forty fix, for the term of three years, and from thence to the end of the then next feflion of

23 Geo. 2. c. 26.

further continued to 1 September 1757.

parliament; and which by another aét made in the twenty third year of the reign of his prefent Majefty, was further continued until the twenty fourth day of *December* one thoufand feven hundred and fifty, and from thence to the end of the then next feflion of parliament, fhall be, and the fame is hereby further continued from the expiration thereof until the firft day of *September* one thoufand feven hundred and fifty feven, and from thence to the end of the then next feflion of parliament.

CAP. LVIII.

An aét for making, widening and keeping in repair feveral roads in the feveral parifhes of Lambeth, Newington, Saint George's Southwark, and Bermondſey, in the county of Surrey; and Lewiſham in the county of Kent. *Certain tolls granted for 31 years.*

CAP. LIX.

An aét for the enlarging of the terms and powers, and making more effectual feveral aétts of parliament for repairing and amending the highways leading from Royston in the county of Hertford to Wansford Bridge in the county of Huntingdon, fo far as relates to the amending of that part of the road as lies between a place called the White Poſt on Alconbury Hill in the county of Huntingdon, and Wansford Bridge in the fame county, called the North Diviſion; and that the tolls taken at Saltree and Wansford toll gates may, from and after a certain time be lowered; and for repairing the road leading from Stilton in the ſaid county of Huntingdon to Peterborough in the county of Northampton. *The aétts 9 Ann. and 13 Geo. 1. c. 32. in part continued for 10 years.*

*Anno Regni GEORGII II. Regis Magnæ
Britanniæ, Franciæ, & Hiberniæ, vice-
fimo quinto.*

AT the parliament begun and holden at Westminster, the tenth day of November, Anno Dom. 1747, in the twenty first year of the reign of our sovereign lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the fourteenth day of November, 1751. being the fifth session of this present parliament.

CAP. I.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and fifty two. E X P.

CAP. II.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters. E X P.

CAP. III.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, within the space of one year from the twenty fifth day of March one thousand seven hundred and fifty two. E X P. At 3s. in the pound.

CAP. IV.

An act for appointing the deputy or secondary of the chief clerk to enrol pleas in the King's Bench, called, The master of the King's Bench office, one of the registers or masters for the enrolment of deeds, wills, and other conveyances, in the county of Middlesex, in the place and stead of such chief clerk.

WHEREAS by an act of parliament made in the seventh year of the reign of her late majesty Queen Anne, (intituled, ⁷ Ann. c. 20. An act for the publick registering of deeds, conveyances and wills, and other incumbrances which shall be made of or that may affect any honours, manors, lands, tenements or hereditaments within the county of Middlesex, after the twenty ninth day of September one thousand seven hundred and nine) it is, among other things, enacted, That one publick office for registering memorials of and concerning any honours, manors, lands, tenements and hereditaments, that are situate, lying and being within the said county, shall be erected and established in manner therein mentioned; that is to say, That for the better and more effectual putting in execution

cution the ſeveral matters and things in the ſaid act contained, the ſworn clerk to execute the office of inrolment in the high court of Chancery, who is appointed to inrol for the county of Middleſex, the chief clerk to inrol pleas in the Queen's Bench, the clerk of the warrants in the court of Common Pleas, and the Queen's remembrancer, or his deputy, in the court of Exchequer, ſhall be the registers or maſters of the office for the matters and things in the ſaid act contained: and whereas the inrolling of pleas, ſigning of judgments, and divers other buſineſs tranſacted in his Maſteſty's court of King's Bench, is under the inſpection and management of the ſaid chief clerk's deputy, or ſecondary, called, The maſter of the King's Bench office, who might properly have executed the ſaid place or office of one of ſuch registers or maſters for the purpoſes mentioned in the ſaid act, inſtead of the ſaid chief clerk, had there been authority given to ſuch chief clerk's deputy to execute the ſaid place or office of one of the ſaid registers or maſters, as is by the ſaid recited act given to the Queen's (now King's) remembrancer's deputy in the court of Exchequer; be it therefore enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of December one thouſand ſeven hundred and fifty one, the deputy or ſecondary of the chief clerk to inrol pleas in the King's Bench for the time being, called, *The maſter of the King's Bench office*, ſhall be, and is hereby conſtituted and appointed one of the registers or maſters of the office for the matters and things contained in the before recited act, in the room, place and ſtead of the ſaid chief clerk, to inrol pleas in the King's Bench, with the like powers and authorities to all intents and purpoſes as by the ſaid recited act is thereby given to ſuch chief clerk; and the chief clerk to inrol pleas in the King's Bench ſhall be, and is, by virtue of this act, diſcharged from being one of the registers or maſters for inrolling ſuch deeds, wills, and other conveyances for the ſaid county of Middleſex as are mentioned in the before-recited act, and of and from any diſability or incapacity which ſuch chief clerk, as one of the ſaid registers, would have been ſubject or liable to by virtue thereof.

The deputy of the chief clerk appointed a register.

Chief clerk diſcharged from being a register.

Deputy to take the oath of office,

and to enter into recognizance, &c.

II. And be it enacted by the authority aforeſaid, That ſuch deputy, or ſecondary, called, *The maſter of the King's Bench office*, ſhall, before he enters upon the execution of the ſaid office of one of ſuch registers or maſters, take the oath mentioned and preſcribed to be taken by every ſuch register or maſter in and by the afore-recited act; and ſhall alſo enter into ſuch recognizance in ſuch ſum of money, and with ſufficient ſureties, to be approved of in ſuch manner and form as therein mentioned and ſet forth; and ſhall be liable to ſuch and the like penalties and forfeitures for any miſbehaviour or neglect of duty in the execution of the ſaid office of one of ſuch registers or maſters, as any of the other registers or maſters are liable and ſubject to by virtue of the before-recited act.

III. And be it further enacted by the authority aforeſaid, That

That this act, and every clause, matter and thing herein contained, shall be taken and allowed, in all courts within this kingdom, as a publick act; and all judges, justices, and other persons therein concerned, are hereby required as such to take notice thereof, without specially pleading the same.

Publick act.

CAP. V.

An act to continue and make more effectual an act passed in the second year of the reign of his present Majesty, for repairing the highways between Sheppard's Shord and Horley Upright Gate, leading down Bagdown Hill, in the county of Wilts, and other ruinous parts of the highways thereunto adjacent. *The act 2 Geo. 2. c. 12. continued for 21 years.*

CAP. VI.

An act for avoiding and putting an end to certain doubts and questions relating to the attestation of wills and codicils concerning real estates in that part of Great Britain called England, and in his Majesty's colonies and plantations in America.

WHEREAS by an act made in the twenty ninth year of the reign of his late majesty King Charles the Second, intituled, *29 Car. 2. c. 3. f. 5.*
An act for prevention of frauds and perjuries; it is amongst other things enacted, That from and after the twenty fourth day of June in the year of our Lord one thousand six hundred and seventy seven, all devises and bequests of any lands or tenements deviseable, either by force of the statute of wills, or by that statute, or by force of the custom of Kent, or the custom of any borough, or any other particular custom, shall be in writing, and signed by the party so devising the same, or by some other person in his presence, and by his express direction; and shall be attested and subscribed in the presence of the said devisor, by three or four credible witnesses, or else they shall be utterly void and of none effect, which hath been found to be a wise and good provision: but whereas doubts have arisen who are to be deemed legal witnesses within the intent of the said act; therefore, for avoiding the same, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That if any person shall attest the execution of any will or codicil which shall be made after the twenty fourth day of June in the year of our Lord one thousand seven hundred and fifty two, to whom any beneficial devise, legacy, estate, interest, gift or appointment of or affecting any real or personal estate, other than and except charges on lands, tenements or hereditaments for payment of any debt or debts, shall be thereby given or made, such devise, legacy, estate, interest, gift or appointment, shall, so far only as concerns such person attesting the execution of such will or codicil, or any person claiming under him, be utterly null and void; and such person shall be admitted as a witness to the execution of such will or codicil, within the intent of the said act;

Devisee, &c. attesting, the devise void, but he admitted to prove the will.

notwithstanding such devise, legacy, estate, interest, gift or appointment mentioned in such will or codicil.

Creditor at-
testing, ad-
mitted a wit-
ness.

II. And be it further enacted by the authority aforesaid, That in case, by any will or codicil already made or hereafter to be made, any lands, tenements or hereditaments are or shall be charged with any debt or debts; and any creditor whose debt is so charged, hath attested or shall attest the execution of such will or codicil, every such creditor, notwithstanding such charge, shall be admitted as a witness to the execution of such will or codicil, within the intent of the said act.

Legatee who
has been paid,
or shall refuse
his legacy, ad-
mitted a wit-
ness.

III. And be it further enacted by the authority aforesaid, That if any person hath attested the execution of any will or codicil already made, or shall attest the execution of any will or codicil which shall be made on or before the said twenty fourth day of *June* in the year of our Lord one thousand seven hundred and fifty two, to whom any legacy or bequest is or shall be thereby given, whether charged upon lands, tenements or hereditaments, or not; and such person, before he shall give his testimony concerning the execution of any such will or codicil, shall have been paid, or have accepted or released, or shall have refused to accept such legacy or bequest, upon tender made thereof; such person shall be admitted as a witness to the execution of such will or codicil, within the intent of the said act, notwithstanding such legacy or bequest.

After refusal,
he is barred
from the lega-
cy; but after
acceptance, he
may retain the
same, tho' the
will void.

IV. Provided always, and be it further enacted, That in case of such tender and refusal as aforesaid, such person shall in no wise be intitled to such legacy or bequest, but shall be for ever afterwards barred therefrom; and in case of such acceptance as aforesaid, such person shall retain to his own use the legacy or bequest which shall have been so paid, satisfied or accepted, notwithstanding such will or codicil shall afterwards be adjudged or determined to be void for want of due execution, or for any other cause or defect whatsoever.

Legatee attest-
ing, and dying
in the life-time
of the testator,
or before he
has received
or refused his
legacy, admit-
ted a witness.

V. And be it further enacted, That in case any such legatee as aforesaid, who hath attested the execution of any will or codicil already made, or shall attest the execution of any will or codicil which shall be made on or before the said twenty fourth day of *June* in the year of our Lord one thousand seven hundred and fifty two, shall have died in the life-time of the testator, or before he shall have received or released the legacy or bequest so given to him as aforesaid, and before he shall have refused to receive such legacy or bequest, on tender made thereof, such legatee shall be deemed a legal witness to the execution of such will or codicil, within the intent of the said act, notwithstanding such legacy or bequest.

Credit of the
witness to be
determined by
the court, &c.

VI. Provided always, That the credit of every such witness so attesting the execution of any will or codicil, in any of the cases in this act before-mentioned, and all circumstances relating thereto, shall be subject to the consideration and determination of the court, and the jury, before whom any such witness shall be examined, or his testimony or attestation made use of;

or

or of the court of equity, in which the testimony or attestation of any fuch witnefs fhall be made ufe of; in like manner, to all intents and purpofes, as the credit of witneffes in all other cafes ought to be confidered of and determined.

VII. And be it further enacted by the authority aforefaid, That no perfon to whom any beneficial eftate, intereft, gift or appointment fhall be given or made, which is hereby enacted to be null and void as aforefaid, or who fhall have refufed to receive any fuch legacy or bequeft, on tender made as aforefaid, and who fhall have been examined as a witnefs concerning the execution of fuch will or codicil, fhall, after he fhall have been fo examined, demand or take poffeffion of or receive any profits or benefit of or from any fuch eftate, intereft, gift or appointment fo given or made to him, in or by any fuch will or codicil; or demand, receive or accept from any perfon or perfons whatfoever, any fuch legacy or bequeft, or any fatisfaction or compenfation for the fame, in any manner or under any colour or pretence whatfoever.

No devisee, where the devise is made void, &c. being examined to the execution of the will, fhall afterwards take any benefit or compenfation for the fame.

VIII. Provided always, and be it enacted by the authority aforefaid, That this act or any thing herein contained fhall not extend or be conftrued to extend to the cafe of any heir at law, or of any devisee in a prior will or codicil of the fame teftator, executed and attested according to the faid recited act, or any perfon claiming under them refpectively, who has been in quiet poffeffion for the fpace of two years next preceding the fixth day of *May* in the year of our Lord one thoufand feven hundred and fifty one, as to fuch lands, tenements and hereditaments, whereof he has been in quiet poffeffion as aforefaid; and alfo that this act or any thing herein contained, fhall not extend or be conftrued to extend, to any will or codicil, the validity or due execution whereof hath been contefted in any fuit in law or equity commenced by the heir of fuch devifor, or the devisee in any fuch prior will or codicil, for recovering the lands, tenements or hereditaments mentioned to be devised in any will or codicil fo contefted, or any part thereof, or for obtaining any other judgment or decree relative thereto, on or before the faid fixth day of *May* in the year of our Lord one thoufand feven hundred and fifty one, and which has been already determined in favour of fuch heir at law, or devisee in fuch prior will or codicil, or any perfon claiming under them refpectively, or which is ftill depending, and has been profecuted with due diligence; but the validity of every fuch will or codicil, and the competency of the witneffes thereto, fhall be adjudged and determined in the fame manner, to all intents and purpofes, as if this act had never been made; any thing herein before contained to the contrary thereof in any wife notwithstanding.

Cafes where the validity of wills, and competency of witneffes, are not affected.

IX. Provided always nevertheffs, and it is hereby declared, That no poffeffion of any heir at law, or devisee in fuch prior will or codicil as aforefaid, or of any perfon claiming under them refpectively, which is confiftent with, or may be warranted by or under any will or codicil attested according to the true intent

Poffeffions which are not comprehended within the meaning of the preceding clause.

and meaning of this act, or where the estate descended or might have descended to such heir at law, till a future or executory devise, by virtue of any will or codicil attested according to this act, should or might take effect, shall be deemed to be a possession within the intent and meaning of the clause herein last before contained.

X. *And whereas in some of the British colonies or plantations in America, the said act of the twenty ninth year of the reign of King Charles the Second, has been received for law, or acts of assembly have been made, whereby the attestation and subscription of witnesses to devises of lands, tenements and hereditaments have been required:*

This act to extend to such of the British colonies, where the act of 29 Car. 2. c. 3. is received, &c.

therefore, to prevent and avoid doubts which may arise in the said colonies or plantations, in relation to the attestation of such devises of lands, tenements and hereditaments; be it enacted by the authority aforesaid, That this act, and every clause, matter and thing therein contained, shall extend to such of the said colonies and plantations, where the said act of the twenty ninth year of the reign of King Charles the Second, is by act of assembly made, or by usage received as law, or where by act of assembly or usage, the attestation and subscription of a witness or witnesses are made necessary to devises of lands, tenements or hereditaments; and shall have the same force and effect in the construction of or for the avoiding of doubts upon the said acts of assembly, and laws of the said colonies and plantations, as the same ought to have in the construction of or for the avoiding of doubts upon the said act of the twenty ninth year of the reign of King Charles the Second in England.

Devises, &c. in the plantations by wills made after 1 March 1753, affected by this act.

XI. Provided always, That as to cases arising in any of the said colonies or plantations in America, no such devise, legacy or bequest as aforesaid, shall be made null and void by virtue of this act, unless the will or codicil whereby such devise, legacy or bequest shall be given, shall be made after the first day of March which shall be in the year of our Lord one thousand seven hundred and fifty three.

C A P. VII.

An act to rectify a mistake in an act passed in the twenty fourth year of the reign of his present Majesty, intituled, An act for explaining and amending an act passed the twenty first year of his present Majesty, intituled, An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers in the city of London; and for other purposes therein mentioned.

24 Geo. 2. c. 14. **W**HEREAS by an act made and passed in the twenty fourth year of the reign of his present Majesty, intituled, An act for explaining and amending an act passed in the twenty first year of the reign of his present Majesty, intituled, *An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers of the city of London; and for other purposes there-*

in

in mentioned; it was among other things enacted, That it ſhould and might be lawful to and for the ſaid wardens and commonalty, and their ſucceſſors, and they were thereby impowered at any time after the firſt day of June one thouſand ſeven hundred and fifty one, by any indenture or indentures under their common ſeal, in conſideration of the uſual rent, and of the beſt fine that could be got for the ſame, to make or grant one or more leaſes of all or any part of the manor of Mercers in the ſaid act mentioned, with the farms, lands, tenements and hereditaments, and all and every the rights, members and appurtenances thereto belonging, and of all other the lands, tenements and hereditaments of and belonging to the ſaid company in the kingdom of Ireland, to ſuch perſon or perſons as they ſhould think fit, ſuch leaſe or leaſes to commence and to take effect from and immediately after the expiration or other determination of any former leaſes theretofore thereof granted by the ſaid company, and then unexpired; and to endure and continue from thenceforth for and during, and unto the full end and term of ſixty one years, or to commence and take effect from and immediately after the expiration or other determination of any leaſe or leaſes, theretofore thereof granted by the ſaid company, and then unexpired, or to endure and continue from thenceforth for and during the natural lives of ſuch three perſons as ſhould at the time of making ſuch laſt-mentioned leaſe or leaſes reſpectively, be named by the reſpective leſſee or leſſees thereof, and be inserted in the ſaid leaſe or leaſes for that purpoſe, and the life of the longer liver of them; and from and immediately after the deceaſe of the ſurvivor of ſuch of the ſaid three perſons, further to endure and continue for and during, and unto the full end and term of ſixty one years, to be computed from ſuch the expiration or determination of the term or terms for which the ſame premiſſes were then leaſed out as aforeſaid; by which ſaid act power was meant and intended among other things to be given to the ſaid wardens and commonalty, to make or grant a leaſe or leaſes in manner mentioned therein, of the ſaid manor of Mercers, and other lands and premiſſes in Ireland, in the ſaid act mentioned, to commence and take effect as in the ſaid act is mentioned, and to endure and continue for three lives, and further to endure and to continue for ſixty one years, in manner as is more fully contained and expreſſed in the ſaid act; but in that part of the ſaid recited claufe, whereby power was intended to be given to the ſaid wardens and commonalty to make ſuch leaſes, to endure for three lives as aforeſaid, the word Or, now ſtanding there between the words, and now unexpired, and the words to endure and continue from thenceforth for and during the natural lives of ſuch three perſons, was there inserted by miſtake, inſtead of the word And: therefore, for the rectifying and amending the ſaid miſtake, and for preventing and remedying all doubts and defects in and concerning the power ſo intended by the ſaid act to be given to the ſaid wardens and commonalty, may it pleaſe your Majeſty that it may be enacted, &c.

The meaning of the recited act declared, and the miſtake rectified.

CAP. VIII.

An act for repairing the road leading from the Royal Oak on Wrotham Heath, to the town of Wrotham in the county of Kent; and from thence to the village of Foot's Cray in the said county. *Certain tolls granted for 21 years.*

CAP. IX.

An act for enlarging the term granted by two several acts of the third and ninth years of his late Majesty's reign, for continuing the duty of two pennies Scots upon every pint of ale and beer sold in the city of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there.

WHEREAS by an act passed in the parliament of Scotland in the year one thousand six hundred and ninety three, a duty of two pennies Scots was granted to the community of the city of Edinburgh, and to the magistrates and town council of the same, and their successors in office, for the uses therein specified, upon every pint of ale or beer either brewed, brought in, or vended, tapped and sold, within the said town and suburbs and liberties thereof, for the space of fifteen years and further, not exceeding the space of thirty years, commencing from the first day of July, one thousand six hundred and ninety three; which said duties were by an act of the third year of his late majesty King George the First, intituled, An act for continuing the duties of two pennies Scots upon every pint of ale and beer sold in the city and liberty of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there, further continued for the further term of nineteen years, for the purposes therein mentioned; and whereas by an act passed in the ninth year of his said late Majesty, intituled, An act for enlarging the term granted by an act made in the third year of his Majesty's reign, for continuing the duty of two pennies Scots upon every pint of ale and beer sold in the city of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there; and for making the said act more effectual, the said duties were continued for the further term of nineteen years from the expiration of the last recited act; and were also extended to the several brewers within the parishes of Saint Cuthbert, the Cannon Gate, and South and North Leith; and the produce of the said duties are by the said act directed to be applied in the carrying on and completing such publick works and such other purposes, to the advantage of the said community, as are recited in the said last mentioned act: and whereas the said city of Edinburgh, being the metropolis and seat of government of Scotland, has been by its remarkable zeal in supporting the protestant interest, and other unavoidable occasions, involved in very considerable debts, far exceeding what the common revenue of the said city could discharge; and it appears that the revenue granted by the said acts has been managed with the utmost oeconomy, and faithfully applied to the purposes thereby directed, yet the same having greatly decreased since the commencement of

the act of the ninth year of his late Majesty's reign, inſomuch that it now produces little more than ſufficient to answer the annual burthens already charged thereupon : and whereas ſeveral of the publick works by the ſaid former acts directed to be performed, remain ſtill unfiniſhed, and it will be impoſſible to finiſh the ſame, and diſcharge the debt already contracted upon the credit of the ſaid duties, without a further continuation of the term already granted for collecting the ſame : to the end therefore that the ſaid neceſſary works may be compleated, and the ſaid debt diſcharged, your Maſteſty's moſt dutiful and loyal ſubjects the provost, magiſtrates, and council of the ſaid city of Edinburgh, in behalf of themſelves and the community of the ſaid city, do moſt humbly beſeech your Maſteſty that it may be enacted, and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled and by the authority of the ſame, That the rates duties and impoſitions made payable by the ſaid act of the ninth year of his late Maſteſty's reign, upon all ale and beer brewed, brought in, vended, tapped or ſold within the ſaid city of Edinburgh or ſuburbs or liberties thereof (except as in the ſaid act is excepted) and alſo the ſaid rates duties and impoſitions thereby granted upon all ale and beer brewed, brought in for ſale, vended, tapped or ſold within all or any of the pariſhes of Saint Cuthbert, Cannon Gate, South and North Leith, ſhall, from and after the expiration of the term granted by the ſaid act of the ninth year of his late Maſteſty, be further continued collected and made payable to the provost, magiſtrates and council of the ſaid city of Edinburgh for the time being, and their ſucceſſors, for and during the further term of thirty eight years ; and the ſaid duties ſhall be levied and paid by the ſame means and methods, and by and under the ſame penalties and forfeitures, and ſhall be ſubject and liable to the ſame reſtrictions, regulations and inſpection, and applicable to the ſame works and other purpoſes (except ſuch works as are already finiſhed and compleated) as are preſcribed, mentioned and expreſſed in the ſaid act of the ninth year of his late Maſteſty's reign ; and that the ſaid act, and every article, rule, claufe, matter and thing therein contained ; ſhall be in full force and effect from the expiration thereof, for the ſaid further term of thirty eight years, to all intents and purpoſes as if the ſame were at large repeated and re-enacted in the body of this act.

The duties continued for 38 years.

II. Provided always, and be it enacted by the authority aforeſaid, That nothing contained in this act, or in the above-mentioned act of the ninth year of his late Maſteſty, ſhall be conſtrued to ſubject to the ſaid duty or impoſition any ale or beer vended within the precincts of the caſtle of Edinburgh, for the uſe of the garrifon or any of the inhabitants of the ſaid caſtle.

Ale vended within the precincts of the caſtle exempted.

III. Provided always, That the produce of the ſaid tolls and duties ſhall, in the firſt place, be ſubject and liable to pay and diſcharge the reaſonable charges and expences incurred in procuring

Expences of this act to be firſt paid.

curing and passing this present act of parliament ; any thing in the said former act to the contrary notwithstanding.

Payments to
the parishes of
St. Cuthbert,
&c. continued.

IV. And be it further enacted by the authority aforesaid, That the annual payments which were awarded by the arbiters by virtue of the said act of the ninth year of his late Majesty's reign, to be paid to the proprietors of the parishes of Saint Cuthbert, Cannon Gate, South and North Leith, shall continue to be paid to the said proprietors during the continuance of this present act, in the same manner and under the same regulations as by the said act is directed and prescribed.

The present
capital debt
not to be in-
creased.

V. And be it further enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend to empower the persons appointed to put the said act of the ninth year of his late Majesty, or this present act, in execution, or any other person or persons whatsoever, to borrow any further sum, so as to increase the present capital debt, upon the credit of the said duties by the said former act and this present act made payable.

State of the
accounts to be
made up.

VI. And be it further enacted by the authority aforesaid, That the magistrates and town council of the said city for the time being shall, upon the third *Tuesday* of the month of *July*, which shall be in the year of our Lord one thousand seven hundred and ninety nine, make up a full, compleat and perfect state of all the money which shall have arisen and been received by and from the said duties granted by the said former and this present act, and of all sums of money laid out from time to time for the several purposes in the said former acts and this present act mentioned, and of what debts shall be then owing on account of the said former and this present act ; to the end that it may appear, if any overplus money shall remain ; and in case any overplus shall remain, the same shall be laid out and applied, with the approbation of the overseers for the time being, in such manner as directed by the said act of the ninth year of his late Majesty.

When the
payments
charged on
the duty are
to cease.

VII. And be it further enacted and declared, That the annual payments with which the said duty is burthened, shall continue and endure only till the first day of *July* which shall be in the year of our Lord one thousand seven hundred and ninety nine, and no longer.

Publick act.

VIII. And be it further enacted by the authority aforesaid, That this act shall be deemed and taken to be a publick act, of which notice shall by all courts in this kingdom be judicially taken, and all judges, justices and other persons are hereby required to take notice of it as such.

C A P. X.

An act for the more effectual securing mines of black lead from theft and robbery.

WHEREAS by experience it hath been found, that wad or black cawke, commonly called Black Lead, is and hath been necessary for divers useful purposes, and more particularly in the cast-
ing

ing bomb shells, round shot, and cannon balls; and that such wad, black cawke, or Black Lead, hath hitherto been discovered in one mountain, or ridge of hills, only in this realm; and that great waste and destruction therein, hath of late years been made by wicked and evil-disposed persons, who, by reason of the situation of the mine or mines, wad-hole or wad-holes of the said wad, black cawke or black lead, and of the great difficulty to secure and preserve the same from being unlawfully broke, or by force entered into; and also by reason of the small punishment by the laws now in being, annexed to offences of the like kind, have been encouraged unlawfully to enter, and by force to keep possession of the same; and from thence unlawfully to take and carry away great quantities of the said wad, black cawke or black lead; for the more effectual security of all and every mine or mines, wad-hole or wad-holes of wad or black cawke, commonly called Black Lead; and for preventing the unlawful breaking and entering into the same; or the unlawful taking and carrying away from such mine or mines, wad-hole or wad-holes, any wad, black cawke or black lead; and for punishing such offenders in a more exemplary manner, than by the laws in being can now be done; may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all and every person or persons that shall from and after the twenty fourth day of *June* which shall be in the year of our Lord one thousand seven hundred and fifty two, unlawfully break, or by force enter into any mine or mines, wad-hole or wad-holes of wad or black cawke, commonly called Black Lead, or into any pit, shaft, adit or vein of wad, black cawke or black lead, with an intent to take and carry way from thence any wad, black cawke or black lead; or shall unlawfully from thence take and carry away any wad, black cawke or black lead, although such mine or mines, wad-hole or wad-holes, pit, shaft, adit or vein, be not actually broke, or by force entered into by such offender or offenders; or shall aid, abet, assist, hire or command any person or persons to commit such offence or offences as aforesaid; that then, and in every such case all and every such person or persons shall be deemed and construed to be guilty of felony; and it shall and may be lawful for the court, or judge, before whom any such person or persons so offending as aforesaid, shall be lawfully convicted, to order such offender or offenders to be committed to the prison or gaol of the said county, appointed for criminals, or to some house of correction within the same county, for a time not exceeding one year, there to be kept to hard labour during all the said time, and to be publickly whipt by the common hangman, or by the master of such house of correction, at such times and at such places, and in such manner, as such court or judge shall think proper; or it shall and may be lawful to and for such court or judge, or for any other subsequent court held at the same place, with the like authority as the former, to order such offender

The entering
any mines of
black lead,
with intent to
steal,

or the assisting
or hiring per-
sons to do so,
deemed felo-
ny;

and the offen-
ders to be
committed for
a year, and
publickly
whipt;

or to be trans-
ported for 7
years;

and if they ef-
cape from pri-
fon, or re-
turn from
transporta-
tion, to fuffer
death;

and a certifi-
cate of the
former con-
viction, deem-
ed fufficient
proof thereof.

Receivers of
lead, knowing
fuch to be
ftolen guilty
of felony.

fender or offenders to be transported to fome of his Majesty's plantations beyond the feas, for a term not exceeding feven years as fuch court or judge fhall think moft proper; and thereupon judgment fhall be given, that the perfon or perfons fo convicted, fhall be committed and whipt, or transported accordingly; and if transportation fhall be directed, the fame fhall be executed in fuch manner, as is or fhall be provided by law for the transportation of felons; and if any fuch perfon or perfons fo committed or transported, fhall voluntarily efcape or break prifon, or return from transportation before the expiration of the time for which he, ſhe or they fhall be ordered to be transported, as aforeſaid, fuch perfon or perfons being thereof lawfully convicted, fhall fuffer death as a felon, without benefit of clergy, and fhall be tried for fuch felony in the county where he, ſhe or they fo efaped, or where he, ſhe or they fhall be apprehended.

II. And be it further enacted by the authority aforeſaid, That if any perfon fhall be convicted or attainted of any of the offences aforeſaid, and fhall voluntarily efcape, break prifon or return from transportation as aforeſaid, and fhall be apprehended in any other county or city different from that wherein the ſaid offence was committed, the clerk of the affize, or clerk of the peace for the county or city where fuch conviction or attainder for the ſaid offence or offences was had, fhall, at the request of the proſecutor, or of any other on his Majesty's behalf, certify the fame by a tranſcript in few words, containing the effect and tenor of fuch conviction or attainder, for which certificate two ſhillings and fix pence, and no more fhall be paid; and fuch certificate being produced in court fhall be fufficient proof of fuch former conviction or attainder.

III. And be it further enacted by the authority aforeſaid, That all and every perfon or perfons who fhall, from and after the ſaid twenty fourth day of *June*, one thouſand ſeven hundred and fifty two, buy or receive any wad or black cawke, commonly called *Black Lead*, knowing the fame to be ſo unlawfully taken and carried away as aforeſaid, fhall be deemed and conſtrued to be guilty of felony, and being convicted thereof, fhall be ſubject and liable to all the pains and penalties, which any perfon or perfons can or may by the laws and ſtatutes of this realm, be ſubject and liable to, for buying or receiving any goods or chattels that have been feloniously taken or ſtolen, knowing the fame to have been ſtolen.

CAP. XI.

An act to enable the parifhioners of the parifh of Eaſt Greenwich, in the county of Kent, to depoſit corſe in the vaults or arches under the church in the ſaid parifh, and to aſcertain the fees that ſhall be paid for the fame.

CAP. XII.

An act for repairing and widening the road from the town of Warminster, in the county of Wilts, to the city of Bath, in the county of Somerſet; and alſo the road from the town of Frome, in the ſaid county of Somerſet, to the town of Beckington in the ſame county; and for repairing the road from Heytesbury to Anſtrow Hill, in the county of Wilts. *Certain tolls granted for 21 year s.*

CAP.

CAP. XIII.

An act for repairing the road from the town of Cirencester to the town of Stroud, and that part of Rodborough Hill which leads to Dudbridge; and also the road leading from Cirencester towards Bisley, so far as the bottom of Gulph Hill; all in the county of Gloucester. *Certain tolls granted for 21 years.*

CAP. XIV.

An act to open the port of Lancaster, for the importation of wool and woollen yarn from Ireland.

WHEREAS the port of Lancaster, in the county palatine of Lancaster, is very conveniently situated for the importation of wool and woollen yarn from Ireland; and the opening of the said port for that purpose, will be of great utility and advantage to the woollen manufactures in the northern parts of England, and more especially in the counties of Lancaster, York, and Westmorland; and may also be a means of increasing the importation of wool and woollen yarn from Ireland, into this kingdom: may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled and by the authority of the same, That from and after the first day of May one thousand seven hundred and fifty two, it shall and may be lawful for any person or persons to import into the port of Lancaster, in the county palatine of Lancaster, any wool or woollen or bay yarn, wool fells, shortlings, mortlings, wool flocks, or worsted yarn, from Ireland; any act or acts of parliament to the contrary in any wise notwithstanding.

Port of Lancaster opened for importation of wool from Ireland,

II. Provided always, and be it enacted by the authority aforesaid, That all such importations of wool and woollen or bay yarn, wool fells, shortlings, mortlings, wool flocks and worsted yarn, from Ireland, into the said port of Lancaster, shall be made from such ports only, and under the same restrictions and regulations, in all respects, as wool or woollen yarn is now by law permitted to be imported into the several ports of Biddeford, Barnstaple, Minehead, Bridgewater, Bristol, Milford Haven, Chester and Liverpool, or any of them, and in the same manner, to all intents and purposes, as if the said port of Lancaster had been particularly named for the importation of the said goods, in an act made in the tenth and eleventh years of the reign of the late King William the Third, intituled, *An act to prevent the exportation of wool out of the kingdoms of Ireland and England, into foreign parts; and for the encouragement of the woollen manufactures in the kingdom of England; or in any other act or acts of parliament whatsoever.*

under the same regulations as in 10 and 11 Will. 3. c. 10.

CAP. XV.

An act to indemnify persons who have omitted to qualify themselves for offices and employments; and also persons who have omitted to make and file affidavits of the execution of articles of clerkship within the time limited by law; and for allowing further time for those purposes. *Exp.*

Time

Time given to 28 Nov. 1732. to take the oaths, &c. and the same time for filing affidavits of clerks.

CAP. XVI.

An act for enlarging the term and powers granted by two acts of parliament, for repairing and amending the highways between the town or village of Tittenfor, and the most northern part of Talk on the Hill, in Butt Lane in the county of Stafford. *The act 8 Geo. 2. c. 5. continued for 21 years.*

CAP. XVII.

An act for repairing the road leading from the Green Man in the chapelry of Seend, in the county of Wilts, through Troubridge, to a place called White Trough, in the parish of Troubridge in the same county; and from thence by Road Church to Beckington, in the county of Somerset. *Certain tolls granted for 21 years.*

CAP. XVIII.

An act for repairing the road leading from Long Horsley bar or gate, on the post road near the town of Morpeth, by or through Long Horsley, Weldon-Bridge, and Whittingham, to the river Breamish, and from thence to Percy's Crofs, in the county of Northumberland. *Certain tolls granted for 21 years.*

CAP. XIX.

An act to open the port of Great Yarmouth for the importation of wooll and woollen yarn from Ireland.

WHEREAS the opening of the port of Great Yarmouth, in the county of Norfolk, for the importation of wool and woollen yarn from Ireland will be of great utility and advantage to the woollen manufactures in that part of England, by rendering the conveyance of those materials to the several towns and places where the said manufactures are carried on, more easy, cheap and expeditious; and may also be a means of increasing the importation of wool and woollen yarn from Ireland into this kingdom: may it therefore please your most excellent Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of May one thousand seven hundred and fifty two, it shall and may be lawful for any person or persons to import into the port of Great Yarmouth, in the county of Norfolk, any wool or woollen or bay yarn, from Ireland; wool fells, shortlings, mortlings, wool flocks, and worsted yarn, from Ireland; any act or acts of parliament to the contrary in any wise notwithstanding.

The port of Great Yarmouth opened for the importation of wool from Ireland;

under the regulations in 10 & 11 W. 3. c. 19.

II. Provided always, and be it enacted by the authority aforesaid, That all such importations of wool, and woollen or bay yarn, wool fells, shortlings, mortlings, wool flocks and worsted yarn, from Ireland into the said port of Great Yarmouth, shall be made from such ports only, and under the same restrictions and regulations in all respects, as wool or woollen yarn is now by law permitted to be imported into the several ports of *Bideford, Barnstaple, Minehead, Bridgwater, Bristol, Milford Haven, Chester and Liverpool*, or any of them; and in the same manner, to all intents

intents and purpoſes, as if the ſaid port of *Great Yarmouth* had been particularly named for the importation of the ſaid goods in an act made in the tenth and eleventh years of the reign of the late King *William the Third* (intituled, *An act to prevent the exportation of wool out of the kingdoms of Ireland and England into foreign parts; and for the encouragement of the woollen manufactures in the kingdom of England*) or in any other act or acts of parliament whatſoever.

CAP. XX.

An act to obviate doubts that have ariſen with regard to the admiſſion of the vaſſals of the principality of Scotland, and payment of their rents and duties.

WHEREAS a doubt hath ariſen, whether the lands and other heretages, commonly known by the name of The principality of Scotland, and as ſuch poſſeſſed by his late royal highneſs Frederick prince of Wales, as prince and ſteward of Scotland, did, upon his death, deſcend to his royal highneſs George William Frederick now prince of Wales, or whether the ſame did return to the King's moſt excellent majeſty; whereby it is rendered uncertain in what manner the vaſſals of the ſaid principality ought to be entered, and to whom the rents, iſſues and profits of the principality ought to be paid, and by whom the vaſſals ſhould be thereof acquitted: and whereas by reaſon, eſpecially of the loſs of great part of the ancient records of Scotland, the removing of that doubt may be attended with conſiderable delay and difficulty; and although the rents, iſſues, and profits of the principality itſelf are of very inconfiderable value, and have proved hardly ſufficient to deſray the expence of the officers neceſſary for collecting or adminiſtring the ſame; yet in the mean time it will be highly prejudicial to the vaſſals of the ſaid principality, and to their heirs, or ſingular ſucceſſors, or purchaſers from them, if no certain method ſhall be ſettled, whereby the title to lands, or other heretages holding of the ſaid principality, may be effectually made up and compleated; for the relief therefore of the vaſſals, and all other perſons, who may be intereſted in lands and heretages, holding of the ſaid principality; be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament, and by the authority of the ſame, That it ſhall and may be lawful for his Majeſty, until his royal highneſs George William Frederick prince of Wales ſhall attain the full age of twenty one years, to hold and poſſeſs the ſaid principality and ſtewartry of Scotland, and to give entries, charters, or infeſtments, to the vaſſals thereof, containing claules of *Novo dumus*, and other claules uſual, and to do every other act concerning the ſaid principality and ſtewartry of Scotland, in the ſame manner that hath been formerly practiſed and accuſtomed by his royal predeceſſors the Kings or Queens of Scotland, or of Great Britain, when there was no prince in being; and all ſuch entries, charters, infeſtments or other acts and deeds, concerning the ſaid principality,

His Majeſty to hold the principality of Scotland, to grant entries, &c. to the vaſſals, &c. thereof, till the prince of Wales ſhall be of the age of 21 years.

The rights of the crown, and of the prince of Wales, reserved; except that of avoiding the entries, &c.

pality, or any part thereof, shall be good, valid and effectual in law, to the vassals receiving the same, and all parties having interest therein, to all intents and purposes whatsoever: saving to the King's most excellent majesty, his heirs and successors, and to his royal highness *George William Frederick* prince of *Wales*, his heirs and successors, all such right, title or interest in, to, or out of the said principality or stewartry of *Scotland*, or to the rents, issues and profits of the same, as they would have had, in case this act had not been made; other than and except any right to avoid, impeach or call in question, any entry, charter, infestment, or other act and deed to be made or granted by his Majesty, to the vassals, as aforesaid; and the payment of any rents, feu duties, or other duties and casualties, as against any vassals, tenants, singular successors or purchasers; all which are by this act intended to be made good, valid and effectual, for and in respect of such vassals, tenants and singular successors, and all persons claiming, or to claim, by, from or under them, or any of them.

CAP. XXI.

An act for repairing the roads from Wallingford in the county of Berks to Wantage, and from thence to Faringdon, and also from Wantage to Idson in the said county. *Certain tolls granted for 21 years.*

CAP. XXII.

An act for repairing the roads from the town of Shrewsbury through Ellesmere in the county of Salop, and Overton in the county of Flint, to Wrexham in the county of Denbigh. *Certain tolls granted for 21 years.*

CAP. XXIII.

An act for the better relief and employment of the poor in the parishes of Saint Margaret and Saint John the Evangelist in the city of Westminster; and for cleansing the streets and repairing the highways within the said parishes.

CAP. XXIV.

An act for repairing and widening the roads from Tinhead Hill to the Round Stone in Trowbridge; and from Flinty Nap to Western Down in the parish of Edington in the county of Wilts; and other roads in the counties of Wilts and Somerset, leading towards the cities of Bristol and Bath. *Certain tolls granted for 21 years.*

CAP. XXV.

An act for granting to his Majesty a certain sum of money therein mentioned, out of the Sinking fund; and for enabling his Majesty to raise a further sum of money therein also mentioned, by exchequer bills, to be charged on the said Sinking fund, for the service of the year one thousand seven hundred and fifty two; and for the further appropriating the supplies granted in this session of parliament.

Most gracious Sovereign,

WE your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous

desirous to raise the necessary supplies which we have chearfully granted to your Majesty in this session of parliament, for the service of the year one thousand seven hundred and fifty two, in the easiest manner we are able, for the benefit of your Majesty's subjects, and also to use such ways and means therein as that your Majesty may have the better and more speedy effect of the said supplies, have resolved to give and grant unto your Majesty the sum of five hundred thousand pounds out of the surplusses, excesses and overplus monies, commonly called the *Sinking fund*; and to that end and purpose do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That ^{500,000 l.} by or out of such monies as now are or shall from time to time ^{granted out of the sinking fund towards the supply for the current year.} be and remain in the receipt of the exchequer, of the said surplusses, excesses or overplus monies, commonly called the *Sinking fund*, (after paying or reserving sufficient to pay all such annuities, or annual sum and sums of money as have been directed by any former act or acts of parliament, to be paid out of the same) there shall and may be issued and applied, a sum not exceeding the said sum of five hundred thousand pounds, for and towards the supply granted to his Majesty for the service of the said year one thousand seven hundred and fifty two; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and empowered to issue and apply the same accordingly.

II. And whereas your Majesty's said dutiful and loyal subjects, the commons of Great Britain in parliament assembled, have also resolved to give and grant unto your Majesty the further sum of one ^{1,400,000 l.} million four hundred thousand pounds, towards the supply granted to your Majesty for the service of the said year one thousand seven hundred and fifty two, to be raised in manner hereafter mentioned: and whereas the governor and company of the bank of England have pro- ^{advanced by the bank to pay off the naval and other services.} posed to advance and pay into the receipt of your Majesty's exchequer, the sum of one million, for payment of part of the debt of the navy, and other publick services; and also the sum of four hundred thousand pounds charged on the additional duties on stamps herein after mentioned, now carrying an interest at three pounds ten shillings per centum per annum, which pursuant to notice given the last session of parliament are to be redeemed and paid off; upon condition that exchequer bills be issued to them on or before the times at which the said sums of one million and four hundred thousand pounds respectively shall be wanted to be advanced, carrying an interest at three pounds per centum per annum, to be charged on the Sinking fund; and that the said principal sums of one million and four hundred thousand pounds, shall be repaid to them out of the first excesses or surplusses of the said Sinking Fund that shall be applied to the payment of the principal of the national debt, next after the remainder of the sum of

one million one hundred and ninety thousand one hundred and eleven pounds sixteen shillings and one penny, which has been advanced by the said governor and company, pursuant to an act of the last session of parliament, shall be discharged and paid off; now we your Majesty's said dutiful and loyal commons in parliament assembled, being of opinion that it will be of advantage to the publick to accept of the said proposal, and being also desirous to lessen the national debt as fast as conveniently may be consistent with justice and publick faith, do also most humbly beseech your Majesty, that it may be enacted; and be it enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with the said governor and company of the bank of *England* to advance and pay into the said receipt of exchequer any sum or sums of money not exceeding in the whole the said sum of one million four hundred thousand pounds for exchequer bills, to be made forth at the said receipt in the manner herein after mentioned, in such proportions, and at such respective times, as the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge to be most for the advantage of the publick, for the purposes aforesaid

The bank allowed 3 l. per cent. interest.

III. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall have and receive an interest or *premium* after the rate of three pounds *per centum per annum*, for the said principal sum of one million four hundred thousand pounds, to be advanced by them into the said receipt of exchequer, from the respective times of advancing and paying the same, or any part thereof into the said receipt, which said interest or *premium* shall be paid from time to time to the said governor and company, and their successors, by quarterly payments out of the monies arising at the said receipt of exchequer, of or for the surplusses, excesses or overplus monies, commonly called the *Sinking fund*, until such times, as the said exchequer bills, or any part thereof, shall be discharged and cancelled in the manner and form by this act hereafter provided.

Treasury to make out exchequer bills,

IV. And be it further enacted by the authority aforesaid, That the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being shall, and they are hereby authorized and empowered to prepare and make, or cause to be prepared and made at the exchequer, at once, or at such times, and in such proportions, and in such method and form as they or he shall think most safe and convenient, any number of new exchequer bills, containing one common sum of different sums in the principal monies, so as such

such bills do not exceed in the whole the said principal sum of one million four hundred thousand pounds.

V. And be it further enacted by the authority aforefaid, That the said bills to be made and prepared in purfuaunce of this act, shall and may bear an intereft not exceeding the faid rate or *præmium* of three pounds *per centum per annum*, and proportionably for any greater or lefs ſum to be contained therein, and to be payable to the bearers thereof reſpectively; nevertheleſs the ſaid intereſt ſhall be abated and ſaved upon ſuch of the ſaid bills to be made forth by this act, as ſhall at any time or times be in the receipt of the exchequer, or in the hands or power of any receivers or collectors of any taxes, aids or revenues whatſoever, payable to his Maſteſty, his heirs or ſucceſſors, during ſuch time and times reſpectively as ſuch bills ſhall be or remain in the ſaid receipt, or in ſuch hands or power as aforeſaid.

VI. And it is hereby enacted, That all the ſaid bills ſhall be numbered arithmetically, beginning with N^o I. and ſo proceeding in an arithmetical progreſſion, aſcending, wherein the common exceſs or difference ſhall always be one, and ſhall be regiſtered accordingly, ſo that the principal ſum to be contained in every ſuch bill may regularly be paid off and diſcharged in courſe, according to the number of every ſuch bill, as it ſhall ſtand in the ſaid regiſter; and that the intereſt upon all and every the ſame bills ſhall be payable every three months, according to the purport and true meaning of this act; and that upon every ſuch bill there ſhall be indorſed, printed or written, in words at length, or in figures, the ſum, after which the principal to be contained therein, ſhall be payable in ſuch courſe as aforeſaid, according to the purport and true meaning of this act.

VII. And it is hereby further enacted, That all the ſaid bills ſhall be prepared and made with ſuch cheques, indents or counterfoils, as ſhall be directed by the commiſſioners of the treaſury, or any three or more of them now being, or by the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being; and that the perſon or perſons who ſhall be appointed to pay off the ſaid bills in courſe, ſhall from time to time have the uſe and cuſtody of one part of all the cheques, indents or counterfoils of the ſaid exchequer bills, to be prepared and made by virtue of this act, from which the ſame ſhall have been cut, to prevent his or their being impoſed upon by counterfeit or forged bills; and that the undertakers or contractors for exchanging and circulating the ſaid bills, or ſuch of them as ſhall be current, ſhall from time to time have the uſe and cuſtody of one other part of all the ſaid cheques, indents or counterfoils of the ſaid exchequer bills from which the ſame ſhall have been cut off as aforeſaid, in order to prevent their being impoſed upon by any counterfeit or forged bills; and that all the ſaid parts of the ſaid cheques, indents or counterfoils, ſhall be delivered back into the exchequer, when the ſaid bills to be made forth by virtue of this act ſhall be paid off, cancelled and diſcharged.

one million one hundred and ninety thousand one hundred and eleven pounds sixteen shillings and one penny, which has been advanced by the said governor and company, pursuant to an act of the last session of parliament, shall be discharged and paid off; now we your Majesty's said dutiful and loyal commons in parliament assembled, being of opinion that it will be of advantage to the publick to accept of the said proposal, and being also desirous to lessen the national debt as fast as conveniently may be consistent with justice and publick faith, do also most humbly beseech your Majesty, that it may be enacted; and be it enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with the said governor and company of the bank of England to advance and pay into the said receipt of exchequer any sum or sums of money not exceeding in the whole the said sum of one million four hundred thousand pounds for exchequer bills, to be made forth at the said receipt in the manner herein after mentioned, in such proportions, and at such respective times, as the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge to be most for the advantage of the publick, for the purposes aforesaid

The bank allowed 3 l. per cent. interest.

III. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of England, and their successors, shall have and receive an interest or *premium* after the rate of three pounds *per centum per annum*, for the said principal sum of one million four hundred thousand pounds, to be advanced by them into the said receipt of exchequer, from the respective times of advancing and paying the same, or any part thereof into the said receipt, which said interest or *premium* shall be paid from time to time to the said governor and company, and their successors, by quarterly payments out of the monies arising at the said receipt of exchequer, of or for the surplusses, excesses or overplus monies, commonly called the *Sinking fund*, until such times, as the said exchequer bills, or any part thereof, shall be discharged and cancelled in the manner and form by this act hereafter provided.

Treasury to make out exchequer bills,

IV. And be it further enacted by the authority aforesaid, That the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being shall, and they are hereby authorized and impowered to prepare and make, or cause to be prepared and made at the exchequer, at once, or at such times, and in such proportions, and in such method and form as they or he shall think most safe and convenient, any number of new exchequer bills, containing one common sum of different sums in the principal monies, so as such

such bills do not exceed in the whole the said principal sum of one million four hundred thousand pounds.

V. And be it further enacted by the authority aforesaid, That the said bills to be made and prepared in pursuance of this act, shall and may bear an interest not exceeding the said rate or *premium* of three pounds *per centum per annum*, and proportionably for any greater or less sum to be contained therein, and to be payable to the bearers thereof respectively; nevertheless the said interest shall be abated and saved upon such of the said bills to be made forth by this act, as shall at any time or times be in the receipt of the exchequer, or in the hands or power of any receivers or collectors of any taxes, aids or revenues whatsoever, payable to his Majesty, his heirs or successors, during such time and times respectively as such bills shall be or remain in the said receipt, or in such hands or power as aforesaid. to carry an interest of 3l. per cent.

VI. And it is hereby enacted, That all the said bills shall be numbered arithmetically, beginning with N^o. I. and so proceeding in an arithmetical progression, ascending, wherein the common excess or difference shall always be one, and shall be registered accordingly, so that the principal sum to be contained in every such bill may regularly be paid off and discharged in course, according to the number of every such bill, as it shall stand in the said register; and that the interest upon all and every the same bills shall be payable every three months, according to the purport and true meaning of this act; and that upon every such bill there shall be indorsed, printed or written, in words at length, or in figures, the sum, after which the principal to be contained therein, shall be payable in such course as aforesaid, according to the purport and true meaning of this act. Bills to be numbered arithmetically, and the interest to be paid quarterly.

VII. And it is hereby further enacted, That all the said bills shall be prepared and made with such cheques, indents or counterfoils, as shall be directed by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being; and that the person or persons who shall be appointed to pay off the said bills in course, shall from time to time have the use and custody of one part of all the cheques, indents or counterfoils of the said exchequer bills, to be prepared and made by virtue of this act, from which the same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged bills; and that the undertakers or contractors for exchanging and circulating the said bills, or such of them as shall be current, shall from time to time have the use and custody of one other part of all the said cheques, indents or counterfoils of the said exchequer bills from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged bills; and that all the said parts of the said cheques, indents or counterfoils, shall be delivered back into the exchequer, when the said bills to be made forth by virtue of this act shall be paid off, cancelled and discharged. The bills to be made with cheques, and the paymasters to have one part, and the contractors the other.

Interest to
cease upon
such of the
bills as shall be
paid of.

Appropriati-
on of the sup-
plies,

tage of the publick; from which respective time or times of paying off or discharging the said exchequer bills, or any part thereof, by such paymaster or paymasters as aforesaid, a proportionable part of the interest or *præmium*, payable for such exchequer bills so paid off or discharged at the rate aforesaid, shall cease and determine; any thing in this or any other act or acts of parliament to the contrary in any wise notwithstanding.

XII. Provided always, and it is hereby further enacted by the authority aforesaid, That all the monies coming into the exchequer either by loans or exchequer bills, upon one act of this session of parliament, (intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain within the space of one year, from the twenty-fifth day of March one thousand seven hundred and fifty two*) and so much money, if any such be, of the tax thereby granted, as shall arise or remain after all the loans or exchequer bills made or to be made on the same act, and all the interest, *præmium*, rate and charges thereupon, and the charges thereby allowable for raising the said land tax shall be satisfied, or money sufficient shall be reserved in the exchequer to satisfy and discharge the same; and also all the monies coming into the exchequer either by loans or exchequer bills, upon one other act of this session of parliament, (intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty two*) and so much money, if any such be, of the duties thereby granted as shall arise or remain after all the loans or exchequer bills made or to be made on the same act, and all the interest, *præmium*, rate and charges thereon, and the charges thereby allowable for raising the said duties shall be satisfied, or money sufficient shall be reserved in the exchequer to satisfy and discharge the same; and also the sum of one million nine hundred thousand pounds by this act granted shall be further appropriated, and are hereby appropriated for and towards the several uses and purposes herein after expressed; that is to say, It is hereby enacted and declared by the authority aforesaid, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding one million seven hundred eighty two thousand and ninety pounds eighteen shillings and one penny, for or towards the naval services herein after more particularly expressed; that is to say, For or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards sea services in the office of ordnance, performed and to be performed, for the year one thousand seven hundred and fifty two, consisting of three hundred fifty five days; and for or towards defraying the ordinary of his Majesty's navy, and for half-pay to sea officers; and for or towards the buildings, re-buildings and repairs of his Majesty's ships for the said year; and for or towards paying off or discharging the debt of the navy.

XIII. And it is hereby also enacted by the authority aforesaid,

viz.
1,782,090l.
18 s. 1d. for
naval services.

ſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding nine thouſand fix hundred ninety nine pounds and nine ſhillings, upon account, towards the ſupport of the royal hoſpital at *Greenwich*, for the better maintenance of the ſeamen of the ſaid hoſpital, worn out and become decrepit in the ſervice of their country.

XIV. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one hundred twenty four thouſand nine hundred and twenty pounds three ſhillings and five pence, for or towards defraying the charge of the office of ordnance for land ſervice for the year one thouſand ſeven hundred and fifty two, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land ſervice, not provided for by parliament.

XV. And it is hereby alſo enacted, That out of all or any the aids or ſupplies provided as aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one million forty one thouſand five hundred and fifty four pounds nineteen ſhillings and ſix pence, for and towards maintaining his Maſteſty's land forces, and other ſervices herein after more particularly expreſſed; that is to ſay, Any ſum or ſums of money not exceeding ſix hundred and eleven thouſand one hundred and one pounds ſix ſhillings and five pence halfpenny, for defraying the charges of eighteen thouſand eight hundred and fifty ſeven effective men, including commiſſion and non-commiſſion officers, and alſo one thouſand eight hundred and fifteen invalids, for guards, garriſons and other his Maſteſty's land forces in *Great Britain*, *Guernſey* and *Jerſey*, for the year one thouſand ſeven hundred and fifty two; and any ſum or ſums of money not exceeding two hundred twenty nine thouſand nine hundred and forty three pounds thirteen ſhillings and nine pence halfpenny, for maintaining his Maſteſty's forces and garriſons in the plantations, *Minorca* and *Gibraltar*, and for provisions for the garriſons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the year one thouſand ſeven hundred and fifty two; and any ſum or ſums of money not exceeding fifty eight thouſand four hundred forty eight pounds fourteen ſhillings and ſeven pence, upon account for out-penſioners of *Chelſea* hoſpital, for the year one thouſand ſeven hundred and fifty two; and any ſum or ſums of money not exceeding ſixty thouſand pounds, upon account of the reduced officers of his Maſteſty's land forces and marines for the year one thouſand ſeven hundred and fifty two, ſubject to ſuch rules to be obſerved in the application of the ſaid half-pay, as are hereafter preſcribed concerning the ſame; and any ſum or ſums of money not exceeding four thouſand five hundred twenty two pounds ſixteen ſhillings and ſix pence, for defraying the charge for allowances to the ſeveral officers and private gentlemen of the two troops of horſe guards, and regi-
ment

9,699l. 9s. to
Greenwich
Hoſpital.

124,920l. 1s.
5d. to the
charge of the
ordnance for
land ſervice.

1,041,554l.
19s. 6d. to the
land forces;

viz.
611,101l. 6s.
5d. 2q. for
guards, &c. in
Great Britain,
Guernſey and
Jerſey;

229,943l. 13s.
9d. 2q. for
the plantati-
ons, *Minorca*
and *Gibraltar*,
and for provi-
ſions for the
garriſons in
Nova Scotia,
*Newfound-
land*, *Gibral-
tar* and *Pro-
vidence*.

58,448l. 14s.
7d. to out-
penſioners of
Chelſea Hoſ-
pital;

60,000l. to re-
duced officers;
4,522l. 16s.
6d. to the of-
ficers and gen-
tlemen of the

horfe guards,
&c. reduced;

3,125 l. 13 s.
1 d. to the
pensions of of-
ficers widows;

22,412 l. 15 s.
1 d. for extra-
ordinary ex-
pences of the
land forces in-
curred in
1751.

20,000 l. to the
Elector of Ba-
varia;

32,000 l. to the
King of Po-
land.

21,042 l. 19 s.
6 d. 2 q. to the
Settling Nova
Scotia in 1751.

and 40,450 l.
and 10 d. for
the prefent
year.

6,997 l. 8 s. 3 d.
to the defi-
ciency of the ad-
ditional ftamp
duties at
Chriftmas
1750.

ment of horfe reduced, and to the fuperannuated gentlemen of the four troops of horfe guards for the year one thoufand feven hundred and fifty two; and any fum or fums of money not exceeding three thoufand one hundred twenty five pounds thirteen fhillings and one penny, for paying of pensions to the widows of fuch reduced officers of his Majefty's land forces and marines as died upon the eftablifhment of half-pay in *Great Britain*, and who were married to them before the twenty fifth day of *December* one thoufand feven hundred and fixteen, for the year one thoufand feven hundred and fifty two; which faid fum of three thoufand one hundred and twenty five pounds thirteen fhillings and one penny, fhall be iffued to fuch perfon or perfons as his Majefty fhall, by warrant or warrants under his royal fign manual, direct and appoint to receive the fame, to be by him or them paid over to fuch widows of half-pay officers, or their affigns, according to fuch eftablifhments, lifts or other directions, and with and fubject to fuch conditions, qualifications and other allowances for the fame as his Majefty, by fuch and the like warrant or warrants, fhall be graciously pleafed to direct and appoint; and any fum or fums of money not exceeding twenty two thoufand four hundred twelve pounds fifteen fhillings and one penny, for defraying the extraordinary expences of his Majefty's land forces and other fervices incurred in the year one thoufand feven hundred and fifty one, and not provided for by parliament; and any fum or fums of money not exceeding twenty thoufand pounds, to enable his Majefty to make good his engagements with the Elector of *Bavaria*, purfuant to treaty; and any fum or fums of money not exceeding thirty two thoufand pounds, to enable his Majefty to make good his engagements with the King of *Poland*, Elector of *Saxony*, purfuant to treaty.

XVI. And it is hereby alfo enacted by the authority aforefaid, That out of all or any the aids or fupplies aforefaid, there fhall be iffued and applied any fum or fums of money not exceeding twenty one thoufand and forty two pounds nineteen fhillings and fix pence halfpenny, upon account, for defraying the charges incurred by fupporting and maintaining the fettlement of his Majefty's colony of *Nova Scotia* in the year one thoufand feven hundred and fifty one, and not provided for by parliament; and any fum or fums of money not exceeding forty thoufand four hundred fifty pounds and ten pence, upon account, for fupporting and maintaining the fettlement of his Majefty's colony of *Nova Scotia* for the year one thoufand feven hundred and fifty two.

XVII. And it is hereby alfo enacted by the authority aforefaid, That out of all or any the aids or fupplies aforefaid, there fhall and may be iffued and applied any fum or fums of money not exceeding fix thoufand nine hundred ninety feven pounds eight fhillings and three pence, to replace to the finking fund the like fum paid out of the fame, to make good the deficiency of the additional ftamp duties at *Chriftmas* one thoufand feven hundred

hundred and fifty; and any sum or sums of money not exceeding five thousand four hundred thirty one pounds six shillings and four pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing of spirituous liquors at *Lady-day* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding eleven thousand seven hundred thirty seven pounds fourteen shillings and four pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty of twelve shillings a barrel on sweets or wines made from *British* or foreign fruit or such as at *Michaelmas* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding twenty four thousand one hundred and two pounds nineteen shillings and five pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the additional duties on wines at *Midsummer* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding fifty two thousand nine hundred sixty nine pounds one shilling and seven pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glass and spirituous liquors at *Midsummer* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding sixty one thousand and sixty six pounds seven shillings and ten pence farthing, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the rates and duties upon houses, windows and lights, at *Michaelmas* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding fifty four thousand seven hundred fifty one pounds five shillings and five pence halfpenny, to make good the deficiency of the grants for the service of the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding seventeen thousand one hundred nineteen pounds fourteen shillings and four pence halfpenny, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the duties on spirituous liquors granted to his Majesty from the twenty fifth day of *March* one thousand seven hundred and forty three; and any sum or sums of money not exceeding six thousand six hundred ninety three pounds seventeen shillings and four pence, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the additional duty on wines; and any sum or sums of money not exceeding twenty four thousand nine hundred sixty eight pounds twelve shillings and ten pence halfpenny, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the duties on glass and spirituous liquors; and any sum or sums of money not exceeding ten thousand pounds, towards the support of the *British* forts and settlements upon the coast of *Africa*, to be applied in such manner as his Majesty shall think proper, and any sum or sums of money not exceeding four thousand pounds, to enable the trustees for establishing the

5431 l. 6s. 4d. to the deficiency of the duties on licences for retailing spirituous liquors at *Lady-day* 1751 17, 37 l. 14s. 4d. 2 q. to the deficiency of the duties on sweets at *Michaelmas* 1751. 24, 102 l. 19s. 5d. to the deficiency on the additional duties on wines at *Midsummer* 1751. 52, 969 l. 1 s. 7d. 2 q. to the deficiency of the duties on glass and spirituous liquors. 61, 066 l. 7s. 10d. 2 q. to the deficiency of the duties on houses, &c. 54, 751 l. 5s. 5d. 2 q. to the deficiency of the grants for 1751. 17, 119 l. 14s. 4d. 2 q. to the deficiency at *Christmas* 1751, of the duties on spirituous liquors. 6, 693 l. 17 s. 4d. to the additional duties on wines at *Christmas* 1751; 24, 968 l. 12s. 10d. 2 q. to the deficiency of the duties on glass and spirituous liquors. 10, 000 l. to the settlements on the coast of *Africa*. the 4, 000 l. to the

truſtees of
Georgia;

3,000 l. to-
wards making
a road from
Carlisle to
Newcaſtle.

6 Ann. c. 11.

6 Geo. 1. c. 4.

89,925 l. 10 s.
7 d. to make
good to the
proprietors
of the annu-
ties, and to
the South-ſea
company the
ſums due by

the colony of *Georgia* in *America* to defray the expences incurred by them; and any ſum or ſums of money not exceeding three thouſand pounds towards laying out, making and keeping in repair, a road proper for the paſſage of troops and carriages between the city of *Carlisle* and the town of *Newcaſtle upon Tyne*.

XVIII. *And whereas by an act of parliament made and paſſed in the ſixth year of the reign of her late majeſty Queen Anne, (intituled, An act for continuing one half part of the ſubſidies of tonnage and poundage, and other duties upon wines, goods and merchandizes imported, which were granted to the crown in the twelfth year of the reign of King Charles the Second; and for ſettling a fund thereby, and by other ways and means for payment of annuities, not exceeding eighty thouſand pounds per annum, to be ſold for raiſing a further ſupply to her Majeſty for the ſervice of the year one thouſand ſeven hundred and eight, and for other uſes therein expreſſed) certain annuities were granted and made payable at the Exchequer out of the ſaid duties by that act continued: and whereas in purſuance of an act made in the ſixth year of the reign of his late majeſty King George the Firſt, (intituled, An act for enabling the South-Sea company to increaſe their preſent capital ſtock and fund, by redeeming ſuch publick debts and incumbrances as are therein mentioned; and for raiſing monies to be applied for leſſening ſeveral of the publick debts and incumbrances, and for calling in the preſent exchequer bills remaining uncanceled; and for making forth new bills in lieu thereof, to be circulated and exchanged upon demand at or near the exchequer) ſeveral of the proprietors of the annuities before mentioned did ſubſcribe the ſame into the capital ſtock of the ſaid South-Sea company, upon the terms in the ſaid laſt recited act mentioned; by means whereof the ſaid company are become intitled to the yearly ſum of thirty nine thouſand one hundred forty ſix pounds five ſhillings and ſeven pence, for intereſt and charges of management upon ſuch part of the ſaid annuities ſo ſubſcribed into their capital: and whereas the monies ariſen into the exchequer of or for the rates and duties by the ſaid firſt recited act granted, have proved ſo low and deficient, that at the feaſt of the birth of our Lord Chriſt one thouſand ſeven hundred and fifty-one, there was due and payable to the ſeveral perſons intitled to ſuch part of the ſaid annuities as were not ſubſcribed to the South-Sea company, as alſo to the South-Sea company upon their annuity aforeſaid, the ſum of eighty nine thouſand nine hundred twenty five pounds ten ſhillings and ſeven pence: and whereas no provision is made by the ſaid acts, or either of them, for making good ſuch deficiency; be it therefore enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding the ſum of eighty nine thouſand nine hundred twenty five pounds ten ſhillings and ſeven pence, to make good to the ſeveral proprietors of the ſaid annuities, as alſo to the South-Sea company, the ſeveral ſum or ſums of money due to them, to ſatisfy their reſpective annuities payable by the ſaid acts of parliament,*

liament, to or for any time before the faid feaft day of the birth the recited
of our Lord Chrift one thoufand feven hundred and fifty-one. ^{acts.}

XIX. *And whereas by an act of parliament made and paffed in 4 Geo. 2. c. 9. the fourth year of his prefent Majefty's reign, (intituled, An act for raising one million two hundred thoufand pounds by annuities and a lottery, in manner therein mentioned; and for appropriating the fupplies granted in this feffion of parliament; and for making forth duplicates of exchequer bills, lottery tickets and orders loft, burnt or otherwife deftroyed) it is amongst other things enacted, That it fhould and might be lawful to and for any perfon or perfons, bodieys politick or corporate, to contribute, advance and pay into the receipt of his Majefty's Exchequer, for his Majefty's ufe, at fuch time or times as fhould be appointed by the commiffioners of the treafury then being, or by the high treafurer, or the commiffioners of the treafury for the time being, any fum or fums of money not exceeding four hundred thoufand pounds, in part of the faid whole fum of one million two hundred thoufand pounds, for the abfolute purchase of any certain annuity or annuities, to commence from the twenty-ninth day of September one thoufand feven hundred and thirty one, and to be paid and payable to fuch contributor or contributors, or fuch as he, ſhe or they fhould nominate his, her or their executors, adminiftrators, fucceffors and affigns refpectively, until redemption thereof by parliament, in manner therein after mentioned; which certain annuities were to be computed at the rate of three pounds ten ſhillings per annum for every one hundred pounds, and proportionably for any greater fum to be advanced and paid; and the purchase money fo to be paid for every fuch annuity at the rate aforefaid, was thereby appointed to be paid into the faid receipt at the time or times before mentioned; and the faid annuities were by the faid act charged upon and made payable at the refpective half-yearly days of payment therein fpecified, out of the money arifing by the additional duties on ſtampt vellum, parchment and paper, by the faid act granted and appropriated for the payment thereof; and the fum of fourteen thoufand pounds per annum is thereby directed to be iffued and applied at the faid receipt of exchequer, out of the faid additional duties on ſtampt vellum, parchment and paper, to answer and pay the faid annuities at the refpective half-yearly days of payment therein fpecified; and after referving fufficient to pay and fatisfy, from time to time, fuch half-yearly payments as fhould grow due upon the faid annuity of fourteen thoufand pounds, that then the further yearly fum or annuity of twenty four thoufand pounds fhould be iffued and paid to the caſhier of the bank of England, out of the monies remaining in the faid receipt, of the faid additional duties on ſtampt vellum, parchment and paper, for answering and paying all and every the annuities or yearly payments, after the rate of three pounds per centum per annum, to the contributors of the lottery therein mentioned, in refpect of the principal fum of eight hundred thoufand pounds, advanced by them upon the credit of the faid additional duties, at the refpective half-yearly days of payment therein fpecified, until the faid feveral and refpective annuities fhould be redeemed by parliament, according to the proviſo therein contained for that purpoſe; as in and by the faid act, relation being thereunto had,*
may

Treasury
to issue
400,000 l. to
be paid to the
proprietors of
the orders of
loan made in
pursuance of
4 Geo. 2. c. 9.
pursuant to
the notice
given by the
speaker.

On payment
of the above
sum, the an-
nuities to
cease;

and the duties
to be applied
to pay the
further an-
nuity of
24,000 l.

and the sur-
plus to be re-
served for the
disposition of
parliament.

may more fully appear : and whereas the speaker of the house of commons did, in pursuance of a resolution of the said house in the last session of parliament, give notice by writing inserted in the London Gazette, and affixed upon the Royal Exchange in London, that the said annuities will be redeemed and paid off on the tenth day of October one thousand seven hundred and fifty-two, agreeable to the power of redemption in the said act ; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, and they are hereby respectively authorized and required, on the said tenth day of October one thousand seven hundred and fifty two, to cause the said sum of four hundred thousand pounds to be issued and paid at the said receipt of his Majesty's Exchequer, out of all or any the aids or supplies provided as aforesaid, unto the proprietors of the several and respective orders of loan made forth in pursuance of the before recited act of the fourth year of his present Majesty's reign, all the principal sums contained in the said orders of loan, amounting in the whole to the said sum of four hundred thousand pounds, pursuant to the notice given by the speaker of the house of commons in that behalf as aforesaid.

XX. And be it further enacted by the authority aforesaid, That from and after the paying off and discharging all the principal sums contained in the said orders of loan, amounting in the whole to the said principal sum of four hundred thousand pounds, or reserving money sufficient for that purpose, and also upon full payment of all arrears of the annuities payable in respect thereof, the said several and respective annuities shall cease, determine and be understood to be redeemed ; and from and after the redemption of the said annuities, all the monies which shall from time to time arise into the said receipt of exchequer, of or for the said additional duties on stamp vellum, parchment and paper, shall from thenceforth be wholly applied to answer and pay the further annuity of twenty four thousand pounds, charged upon and made payable by the said recited act of the fourth year of his present Majesty's reign, out of the said additional duties, until redemption thereof by parliament, according to the proviso therein contained in that behalf ; any thing in this or the said recited act to the contrary thereof in any wise notwithstanding.

XXI. Provided always, and be it further enacted by the authority aforesaid, That in case there shall be any surplus or remainder of the monies arising by the said additional duties at the end of any one year, after the said annuity of twenty four thousand pounds, and all arrears thereof, are satisfied, or money sufficient shall be reserved for that purpose, that then such surplus or remainder shall from time to time be reserved for the disposition of parliament, and shall not be issued but by authority of parliament, and as shall be directed by future act or acts of

of parliament in that behalf; any thing in any former act or acts to the contrary thereof notwithstanding.

XXII. And be it further enacted by the authority aforefaid, That the faid aids and fupplies provided as aforefaid, fhall not be iflued or applied to any ufe, intent or purpofe whatfoever, other than the ufes and purpofes before mentioned, or for the feveral deficiencies or other payments directed to be fatisfied thereout by any act or acts, or any particular claufe or claufes for that purpofe contained in any other act or acts of this prefent feffion of parliament. These aids to be applied only to the ufes before-mentioned.

XXIII. And as to the faid fum of fixty thoufand pounds by this act appropriated on account of half-pay as aforefaid, it is hereby enacted and declared by the authority aforefaid, That the rules herein after prefcribed fhall be duly obferved in the application of the faid half-pay; that is to fay, That no perfon fhall have or receive any part of the fame who was a minor, and under the age of fixteen years, at the time when the regiment, troop or company in which he ferved was reduced; that no perfon fhall have or receive any part of the fame, except fuch perfons who did actual fervice in fome regiment, troop or company; that no perfon having any other place or employment of profit civil or military under his Majefty, fhall have or receive any part of the faid half-pay; that no chaplain of any garrifon or regiment who has any ecclefiaftical benefice in *Great Britain* or *Ireland*, fhall have or receive any part of the faid half pay; that no perfon fhall have or receive any part of the fame, who has refigned his commiffion and has had no commiffion fince; that no part of the fame fhall be allowed to any perfon by virtue of any warrant or appointment, except to fuch perfons who would have been otherwife intitled to the fame as reduced officers; and that no part of the fame fhall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately difbanded in *Ireland*, except to fuch as were lately taken off the eftablifhment of half-pay in *Great Britain*. Rules to be obferved in the application of the 60,000 l. appropriated to the reduced officers.

XXIV. And whereas by an act of parliament made and paffed in the twenty fourth year of his Majefty's reign, (intituled An act for granting to his Majefty the fum of fix hundred thoufand pounds out of the finking fund for the fervice of the year one thoufand feven hundred and fifty one; and for allowances to the poor widows of commiffion and warrant officers of the royal navy; and for the further appropriating the fupplies granted this feffion of parliament, and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan or annuity orders, payable at the exchequer, in lieu of fuch as fhall be loft, burnt or deftroyed; and alfo for making forth new orders of loan or annuity orders, in lieu of fuch as fhall become defaced, obliterated or otherwife incumbred with affignments or indorfements thereon) feveral fupplies which had been granted to his Majefty, as is therein mentioned, were appropriated to feveral ufes and purpofes therein expreffed; amongst which any fum or fums of money not exceeding fixty four thoufand pounds, was appropriated to be paid 24 Geo. 2.
c. 47.

Overplus of
last year's
half-pay to be
applied to
such objects of
charity as his
Majesty shall
direct.

to the reduced officers of his Majesty's land forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as in and by the aforesaid act were prescribed in that behalf; now it is hereby provided, enacted and declared by the authority aforesaid, That so much of the said sum of sixty four thousand pounds, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed by the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of to such officers who are maimed, or lost their limbs in the late wars, or such others as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act, to the contrary notwithstanding.

C A P. XXVI.

An act to restrain the making insurances on foreign ships bound to or from the East Indies.

9 Geo. I. c. 26.

WHEREAS by an act passed in the ninth year of the reign of his late majesty King George the First, intituled, An act to prevent his Majesty's subjects from subscribing or being concerned in encouraging or promoting any subscription for an East-India company in the Austrian Netherlands; and for the better securing the lawful trade of his Majesty's subjects to and from the East Indies; all his Majesty's subjects are restrained and prohibited from subscribing, contributing to, encouraging or promoting the raising, establishing or carrying on any foreign company created for trading to the East Indies, from and after the twenty fourth day of June one thousand seven hundred and twenty three, in order the more effectually to secure by the provisions of the said act, as well as by several other laws now in force, the sole trade to and from the East Indies, and other places beyond the cape of Good Hope, to the united company of merchants of England trading to the East Indies, that thereby the British nation might enjoy the full fruits and advantages of so beneficial a trade: and whereas insuring the ships and vessels of foreigners trading to the East Indies, or the lending money on Bottomree or Respondentia of or upon any such foreign ships or vessels, may be a means of encouraging his Majesty's subjects to share with foreigners in the establishing or erecting of new companies, societies or corporations for carrying on the said trade in the dominions of foreign states or princes, whose subjects have never before adventured to carry it on; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of May one thousand seven hundred and fifty two, all and every person or persons, bodies politick or corporate, being subjects of his Majesty in Great Britain or Ireland, or elsewhere, and

No insurances
to be made on
money to be
lent on bot-
tomree or re-
spondentia

and all other persons whatsoever residing within *Great Britain* or *Ireland*, shall be restrained and prohibited by virtue of this act, from granting, signing or under-writing any policy or policies of assurance, or lending any money on *Bottomree* or *Respondentia*, of or upon any foreign ship or ships trading or sailing, or to trade or sail to or from the *East Indies*, and other places beyond the cape of *Good Hope*, within the limits of trade granted to the united company of merchants of *England* trading to the *East Indies*, or to or from any ports or places within the said limits; or of or upon any goods, merchandizes or effects, laden or to be laden on board any such ship or ships, the said ships or goods not belonging to any companies, societies or corporations which were established or erected, or which had carried on such trade; or to any person or persons who had carried on such trade by virtue of any charter, licence or authority from their respective Sovereigns, on or before the seventh day of *October* one thousand seven hundred and forty eight; and all contracts, bargains and agreements by which any *Premium*, or consideration in the nature of a *Premium*, shall be taken for such policy or policies, upon any such ship or ships, or upon any goods, merchandizes or effects laden or to be laden thereon; and every other contract, wager, or agreement in the nature of a wager, concerning the event of the said voyage of such foreign ship or ships; and all bonds for any sum or sums of money lent, or agreed to be lent or advanced, by way of *Bottomree* or *Respondentia* on the same, contrary to the true intent and meaning of this act, shall be void.

bonds, on
foreign ships
or goods
bound to or
from the *East
Indies*;

II. And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politick or corporate whatsoever, being the King's subjects, in *Great Britain* or *Ireland*, or elsewhere, and all other persons whatsoever residing within *Great Britain* or *Ireland*, who, from and after the said first day of *May* one thousand seven hundred and fifty two, shall by themselves or agents enter into or execute any such contract, bargain or agreement, or lend any money upon *Bottomree* or *Respondentia* Bonds as aforesaid, contrary to the true intent and meaning of this act, shall forfeit and pay treble the sum insured or lent upon *Bottomree* or *Respondentia* as aforesaid; and also all factors, brokers, agents, office-keepers, scriveners or other persons who shall prepare, write or negotiate any such contract, bargain, agreement or bond as aforesaid, shall forfeit and pay treble the sum insured or lent upon *Bottomree* or *Respondentia* as aforesaid; which said penalties shall and may be recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of session in *Scotland*, or in any of his Majesty's courts of record at the four courts in *Dublin* respectively; in which action or suit no essoin, protection, privilege or wager of law, or more than one imparlance shall be allowed; one moiety of the said penalties to be to the use of his Majesty, his heirs and successors, and the other moiety

on forfeiture
of treble the
sum insured
or lent;

moiety thereof to the use of him, her or them who shall sue for the same.

Not to extend to the ships or goods of the subjects of such Sovereigns, who traded there before 7 Oct. 1748.

This act to be in force for 7 years.

III. Provided, That this act shall not extend to the prohibiting insurances on such ships, goods or interests as shall belong to the subjects of such Sovereigns, who before the said seventh day of *October* one thousand seven hundred and forty eight, have granted charters, licences or authorities to trade within the said limits, and whose subjects were, at the said seventh day of *October*, actual traders within the said limits, and by virtue of such charters, licences or authorities.

IV. Provided also, That this act shall continue in force for seven years, and to the end of the then next session of parliament, and no longer.

CAP. XXVII.

An act for converting the several annuities therein mentioned into several joint stocks of annuities, transferrable at the bank of England, to be charged on the sinking fund; and also for consolidating the several other annuities therein mentioned, into several joint stocks of annuities, transferrable at the South-Sea house.

- 4 Geo. 2. c. 9. **W**HEREAS in pursuance of an act of parliament made and passed in the fourth year of his Majesty's reign (for raising one million two hundred thousand pounds by annuities and a lottery, and for other purposes therein mentioned) several persons, bodies politick or corporate, did advance and lend the sum of eight hundred thousand pounds, part of the said sum of one million two hundred thousand pounds, upon the credit of the additional duties on stamp vellum, parchment and paper, by the said act granted and continued, for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas in pursuance of another act of parliament made and passed in the fifteenth year of his Majesty's reign (for granting to his Majesty the sum of eight hundred thousand pounds, to be raised by annuities transferrable at the bank of England; and for other purposes therein mentioned) several persons, bodies politick or corporate, did advance and lend the said sum of eight hundred thousand pounds upon the credit of the surplusses, excesses or overplus monies, commonly called The Sinking Fund, by the said act granted and appropriated in that behalf for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas in pursuance of another act of parliament made and passed in the sixteenth year of his Majesty's reign (for raising by annuities and a lottery, in manner therein mentioned, the sum of one million eight hundred thousand pounds at three pounds per centum per annum, for the service of the year one thousand seven hundred and forty three) several persons, bodies politick or corporate, did advance and lend the said sum of one million eight hundred thousand pounds upon the credit of the rates and duties on low wines, spirits and strong waters, granted to his Majesty by one other act of the same session of parliament,
- 25 Geo. 2. c. 19.
- 26 Geo. 2. c. 13.

liament, for the purchaſe of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas by one other act of parliament made and paſſed in the ſeventeenth year of his Maſteſty's reign (for raiſing by annuities and a lottery, in the manner therein mentioned, the ſum of one million eight hundred thouſand pounds at three pounds per centum per annum, for the ſervice of the year one thouſand ſeven hundred and forty four) ſeveral perſons, bodies politick or corporate, did advance and lend the ſaid ſum of one million eight hundred thouſand pounds upon the credit of the ſurplus or remainder of the monies to ariſe into the receipt of exchequer, of or for the rates and duties on ſpirituſous liquors, granted by the laſt-recited act of the ſixteenth year of his Maſteſty's reign (after ſatisfying the annuity payable to the Eaſt-India company out of the ſaid duties) for the purchaſe of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas by one other act of parliament made and paſſed in the eighteenth year of his Maſteſty's reign (for granting to his Maſteſty ſeveral additional duties upon all wines imported, and for raiſing a certain ſum of money by annuities and a lottery, in manner therein mentioned, to be charged on the ſaid additional duties) ſeveral perſons, bodies politick or corporate, did advance and lend the ſum of two millions upon the credit of the ſaid additional duties, for the purchaſe of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament; and the ſaid additional duties were alſo charged with the payment of certain annuities for lives at the ſaid receipt of exchequer, in the manner in the ſaid act directed: and whereas in purſuance of one other act of parliament made and paſſed in the twenty third year of his Maſteſty's reign (for granting to his Maſteſty the ſum of one million, to be raiſed by annuities at three pounds per centum per annum, and charged on the ſinking fund, transferrable at the bank of England) ſeveral perſons, bodies politick or corporate, did advance and lend the ſaid ſum of one million upon the credit of the ſaid ſinking fund, for the purchaſe of annuities after the rate of three pounds per centum per annum, transferrable at the bank of England, and redeemable by parliament: and whereas the ſaid ſeveral principal ſums before-mentioned, for which the ſaid ſeveral and reſpective annuities now carrying an intereſt of three pounds per centum per annum, transferrable at the bank as aforeſaid, are payable, do amount in the whole to the ſum of eight millions two hundred thouſand pounds; and it is thought neceſſary, that the ſaid principal ſum be (with the conſent of the proprietors thereof, to be ſignified within the time herein after-mentioned) converted into one joint ſtock of annuities; and that the intereſt or annuities ſhall be paid out of the produce of the ſinking fund, until redemption thereof by parliament, in manner herein after-mentioned; and that the ſeveral duties and revenues which were given and granted for payment of the ſaid annuities, and on which the ſame were charged, ſhall be carried into and made part of the ſaid ſinking fund: now we your Maſteſty's moſt dutiful and loyal ſubjects the commons of Great Britain in parliament aſſembled, being of opinion that it will be of advantage to the

The afore-mentioned sums, amounting to 8,200,000 l. and carrying 3 l. per cent. interest, to be converted into one joint stock of annuities, transferrable at the bank.

Subscribers empowered to transfer.

The annuities to be paid unto 24 June 1752, out of the funds appropriated;

but if they be deficient out of the sinking fund;

thenceforth they are to be charged on

publick, and also a great convenience to the proprietors of the said annuities, if the same were consolidated into one joint stock of annuities as aforesaid; and being desirous to provide for the punctual payment of the said annuities, and to prevent any deficiencies or delay of payment thereupon, do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That after the twenty fourth day of *June* one thousand seven hundred and fifty two, and before the fifth day of *January* one thousand seven hundred and fifty three, the several sums afore-mentioned, amounting to eight millions two hundred thousand pounds, carrying an interest after the rate of three pounds *per centum per annum*, payable in pursuance of the before-recited acts of parliament in that behalf, shall (with the consent aforesaid) be converted into one joint stock of annuities, transferrable at the bank of *England*, in the same manner and form as the said several and respective annuities are now transferred, until redemption thereof by parliament, in manner herein after-mentioned; any thing in the said recited acts to the contrary thereof in any wise notwithstanding.

II. And be it enacted, That all and every person and persons, bodies politick or corporate, who shall subscribe or signify their consent to the making their said annuities part of the said joint stock of annuities, as aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of the said joint stock, from the said twenty fourth day of *June* one thousand seven hundred and fifty two, as aforesaid.

III. And be it enacted by the authority aforesaid, That all and every the said several and respective annuities transferrable at the bank of *England* as aforesaid, shall be paid unto the said twenty fourth day of *June* one thousand seven hundred and fifty two, out of the same rates, duties and impositions, as the said several and respective annuities are now paid and payable, together with other charges payable out of the same: but in case the monies arising into the receipt of the exchequer, shall not be sufficient to answer and pay the said several and respective annuities and other charges, at the time appointed for payment thereof, that then and in such case it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, to cause so much money to be issued out of the said sinking fund, as shall be sufficient to answer and pay the said several and respective annuities as shall become due and payable, until the said twenty fourth day of *June* one thousand seven hundred and fifty two, and all the said other charges attending the same.

IV. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, all the said several and re-

spective

pective principal sums transferrable at the bank of *England* as the sinking fund; afore-
 said, amounting in the whole to the sum of eight millions two hundred thousand pounds, as also such sum or sums of money as shall or may be made payable to the governor and company of the bank of *England*, for the charges of management, shall be, and are hereby charged and chargeable upon the said sinking fund, and shall be issued and paid half-yearly on the fifth day of *January*, and the fifth day of *July*, in every year, and to be paid half-yearly; out of the surplus funds, and other duties and revenues composing the said sinking fund, and shall be deemed and taken to be charges and incumbrances thereupon, until redemption thereof by parliament; subject nevertheless to such charges and incumbrances as are already made thereupon by parliament: and the commissioners of the treasury, or any three or more of them now being, or the high treasurer or commissioners of the treasury of his Majesty, his heirs or successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, shall and may, from time to time, issue the same at the respective half-yearly or other days of payment, whereon the same shall become due and payable at the said receipt of exchequer, to the first or chief cashier or cashiers of the governor and company of the bank of *England*, and their successors for the time being, by way of imprest and upon account, for the purposes above-mentioned; and that all and every such cashier or cashiers, to whom the said money shall, from time to time be issued, shall without delay, apply and pay the same accordingly, and render his account thereof according to the due course of the exchequer; any thing herein before contained to the contrary notwithstanding.

V. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, all the said rates, duties, impositions or revenues, granted and appropriated by the said several and respective acts herein before recited, for payment of the said several and respective annuities transferrable at the bank of *England*, as afore-
 said, shall be carried to, and made part of the said sinking fund (after reserving sufficient to pay the annuities for lives at the exchequer, and other charges and incumbrances charged on the said duties and revenues) and the same shall be deemed and taken to be part of the said sinking fund, and shall be issued and applied to such uses and purposes, as all and every other the surplus funds, duties and revenues, composing the said sinking fund, are or may be issued and applied; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

VI. And whereas by and in pursuance of two several acts of parliament, made and passed in the ninth and eleventh years of his Majesty's reign, certain annuities, after the rate of three pounds per centum per annum, were created and made payable at the said receipt of exchequer, out of the sinking fund, amounting to the principal sum of nine hundred thousand pounds, for which tallies and orders were

The funds which were appropriated to the annuities, made part of the sinking fund.

Proprietors of the 3l. per cent. annuities, granted

by acts 9 & 11 Geo. 2. may ſubſcribe into the joint ſtock. *made out at the ſaid receipt, and as the proprietors of the ſaid tallies and orders may be deſirous to ſubſcribe the ſame into the ſaid joint ſtock of annuities, after the rate of three pounds per centum per annum; be it therefore enacted by the authority aforeſaid, That the ſaid proprietors may, at any time between the ſaid twenty fourth day of June one thouſand ſeven hundred and fifty two, and the ſaid fifth day of January one thouſand ſeven hundred and fifty three, ſubſcribe the ſame into the ſaid joint ſtock of annuities accordingly.*

8 Geo. 2. c. 12. VII. *And whereas by and in purſuance of one other act made and paſſed in the eighth year of his Maſteſty's reign, certain orders for annuities after the rate of three pounds per centum per annum, were made forth at the ſaid receipt of exchequer, payable out of the general fund, in lieu of debentures made forth to the ſufferers of Nevis and Saint Chriſtophers, to the amount of one hundred forty one thouſand ninety three pounds fifteen ſhillings and one penny farthing; whereof there now remains the ſum of thirty ſeven thouſand eight hundred twenty one pounds five ſhillings and one penny farthing; be it therefore enacted by the authority aforeſaid, That the proprietors of the ſaid orders may, at any time between the ſaid twenty fourth day of June one thouſand ſeven hundred and fifty two, and the ſaid fifth day of January one thouſand ſeven hundred and fifty three, ſubſcribe the ſaid annuity orders into the ſaid joint ſtock of annuities after the rate of three pounds per centum per annum, as aforeſaid.*

The ſubſcribers may immediately transfer, VIII. *And be it enacted, That all and every perſon or perſons, bodies politick or corporate, who ſhall ſubſcribe their ſaid orders into the joint ſtock of annuities aforeſaid, ſhall be immediately intituled to the privilege of transferring ſuch annuities, as part of the ſaid joint ſtock of annuities, from the ſaid twenty fourth day of June one thouſand ſeven hundred and fifty two, as aforeſaid.*

the orders to be paid quarterly to Midſummer 1752. IX. *And be it further enacted, That ſuch of the ſaid orders that ſhall be ſo ſubſcribed, which are now made payable half-yearly at Michaelmas and Lady-day, ſhall be paid by the quarter, to grow due from Lady-day one thouſand ſeven hundred and fifty two to Midſummer following; any thing in any former act to the contrary thereof in any wiſe notwithstanding.*

Bank to provide books for the ſubſcriptions, X. *And be it further enacted by the authority aforeſaid, That the governor and company of the bank of England ſhall, and they are hereby required to cauſe ſuch books to be prepared as ſhall be neceſſary for receiving the ſubſcription or conſent of ſuch of the proprietors of the ſeveral and reſpective annuities, after the rate of three pounds per centum per annum, transferrable at their office, and alſo of the proprietors of the ſeveral annuities, tallies and orders payable at the exchequer out of the ſinking fund, as alſo of the ſeveral proprietors of the annuities and orders payable at the exchequer out of the general fund, as ſhall ſubſcribe the ſame into the joint ſtock of annuities before mentioned, which books ſhall be conſtantly kept open at the bank of England for that purpoſe every day, Sundays and holidays*

to be open from 24 June

days only excepted, from the ſaid twenty fourth day of *June* 1752, to 25
 one thouſand ſeven hundred and fifty two, to the ſaid fifth day of *Jan.* 1753,
January one thouſand ſeven hundred and fifty three inclusive,
 and no longer; ſubject nevertheless to ſuch further directions, *except the*
 with reſpect to the taking in or receiving ſuch ſubſcriptions or *treasury ſhall*
 conſent from the proprietors of the ſaid annuities, after the ſaid *allow further*
 rate of three pounds *per centum per annum*, as ſhall or may be *time.*
 given by the commiſſioners of the treasury, or any three or
 more of them now being, or by the high treaſurer, or any three
 or more of the commiſſioners of the treasury for the time being,
 for the benefit and advantage of the publick; and it ſhall and
 may be lawful to and for the proprietors of the ſaid ſeveral and *The proprie-*
 reſpective annuities, their reſpective attornies, representatives or *tors may ſub-*
 aſſigns, or ſuch perſon or perſons as he, ſhe or they ſhall re- *ſcribe.*
 ſpectively authorize and impower by writing in that behalf, to
 ſubſcribe for them; and all perſons impowered to receive any
 intereſt or dividend that ſhall become due on the ſaid annuities
 ſhall, and they have hereby power to make the ſubſcriptions,
 and give conſent in the ſaid reſpective books accordingly, with-
 out any fee or charge, at any time between the ſaid twenty fourth
 day of *June* one thouſand ſeven hundred and fifty two, and the
 ſaid fifth day of *January* one thouſand ſeven hundred and fifty
 three; and the ſeveral officers of the ſaid governor and compa- *Officers to at-*
 ny who ſhall be appointed to take in the ſaid ſubſcriptions, or *tend.*
 receive ſuch conſents, ſhall during the time aforeſaid conſtantly
 attend at the ſaid office for that purpoſe at ſuch hours as buſineſs
 is uſually tranſacted there.

XI. *And whereas in purſuance of an act of parliament made and*
paſſed in the nineteenth year of his Maſteſty's reign for granting to 19 Geo. 2. c. 12.
his Maſteſty ſeveral rates and duties upon glaſs, and ſpirituſous liquors,
and for other purpoſes therein mentioned, ſeveral perſons, bodies po-
litick or corporate, did advance and lend upon the credit of the ſaid
rates and duties the principal ſum of three millions, for the purchaſe
of annuities transferrable at the bank of England, and redeemable
by parliament; and the ſaid rates and duties were alſo charged with
the payment of certain annuities for lives, payable at the receipt of
the exchequer, in the manner by the ſaid act directed; which ſaid
ſum of three millions is now reduced to the principal ſum of two mil-
lions eight hundred twenty four thouſand four hundred twenty eight
pounds thirteen ſhillings and eleven pence, attended with annuities af-
ter the rate of three pounds ten ſhillings per centum, purſuant to
certain acts of parliament in that behalf: and whereas by another act 20 Geo. 2. c. 3.
of parliament made and paſſed in the twentieth year of his Maſteſty's
reign, for repealing the ſeveral rates and duties upon houſes, windows
and lights, and for granting to his Maſteſty other rates and duties
upon houſes, windows or lights, and for other purpoſes therein men-
tioned, ſeveral perſons, bodies politick or corporate, did advance and
lend upon the credit of the ſaid duties the principal ſum of four mil-
lions for the purchaſe of annuities, transferrable at the bank of Eng-
land, upon which (for the encouragement of perſons who ſhould advance
and lend the ſame) there was an allowance of ten pounds per centum,

so that the capital sum amounted to the sum of four millions four hundred thousand pounds redeemable by parliament; which said sum of four millions four hundred thousand pounds is now reduced to the principal sum of four millions one hundred eighty nine thousand three hundred sixty five pounds and five shillings, attended with annuities after the rate of three pounds ten shillings per centum, pursuant to certain acts of parliament in that behalf; and the said rates and duties were likewise appropriated for the payment of the yearly sum of ninety one thousand four hundred eighty five pounds and six pence three farthings to the aggregate fund: and whereas by one other act

30 Geo. 2. c. 10. of parliament made and passed in the twentieth year of his Majesty's reign, for granting several rates and duties upon coaches and other carriages; and for other purposes therein mentioned, several persons, bodies politick or corporate, did advance and lend upon the credit of the said rates and duties the principal sum of one million, for the purchase of annuities, transferrable at the bank of England, and redeemable by parliament; which said sum of one million is now reduced to the principal sum of nine hundred twenty nine thousand two hundred seventy six pounds ten shillings and six pence, attended with annuities after the rate of three pounds ten shillings per centum,

31 Geo. 2. c. 2. pursuant to certain acts of parliament in that behalf: and whereas by an act of parliament made and passed in the twenty first year of his Majesty's reign, for granting to his Majesty a subsidy of poundage upon all goods and merchandizes imported, and for other purposes therein mentioned, several persons, bodies politick or corporate, did advance and lend upon the credit of the said subsidy the principal sum of six millions three hundred thousand pounds, for the purchase of annuities, transferrable at the bank of England; and for the encouragement of all persons who should advance and lend the same, there was an advance of six hundred and thirty thousand pounds, being ten pounds per centum on the said sum contributed, so that the whole capital sum amounted to the sum of six millions nine hundred and thirty thousand pounds, redeemable by parliament; which said sum of six millions nine hundred and thirty thousand pounds, is now reduced to the principal sum of six millions six hundred sixty thousand and six pounds eighteen shillings and three pence, attended with annuities after the rate of three pounds ten shillings per centum, pursuant to certain acts of parliament in that behalf: and whereas by an act of

32 Geo. 2. c. 23. parliament made and passed in the twenty second year of his Majesty's reign, for charging the sinking fund with the payment of annuities in discharge of navy, victualling and transport bills, and ordnance debentures to the amount therein mentioned, certain persons, bodies politick and corporate, who were possessed of such bills and debentures, did subscribe the same at the bank of England, to the amount of three millions seventy two thousand four hundred seventy two pounds and ten pence, for annuities transferrable there, charged upon the said sinking fund, redeemable by parliament; which said sum of three millions seventy two thousand four hundred seventy two pounds and ten pence, is now reduced to the principal sum of two millions nine hundred sixty eight thousand four hundred ninety six pounds eight shillings and eight pence, attended with annuities after the rate of three pounds

ten shillings per centum, pursuant to certain acts of parliament in that behalf: and whereas the principal sums before-mentioned, now carrying an interest of three pounds ten shillings per centum per annum, transferrable at the bank of England as aforesaid, do amount in the whole to the sum of seventeen millions five hundred seventy one thousand five hundred seventy three pounds sixteen shillings and four pence; whereof the sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence was first subscribed, in pursuance of an act of parliament of the twenty third year of his Majesty's reign, for an annuity of three pounds ten shillings per centum, until the twenty fifth day of December one thousand seven hundred and fifty seven, which will be the fifth day of January one thousand seven hundred and fifty eight; and from and after the said twenty fifth day of December one thousand seven hundred and fifty seven, for annuities at three pounds per centum; and the residue thereof, amounting to the sum of two millions seven hundred thirteen thousand six hundred and seventeen pounds eighteen shillings, was last subscribed, in pursuance of another act of the same session of parliament, for an annuity of three pounds ten shillings per centum, until the twenty fifth day of December one thousand seven hundred and fifty five, which will be the fifth day of January one thousand seven hundred and fifty six; and from and after the twenty fifth day of December one thousand seven hundred and fifty five, for annuities of three pounds per centum: and whereas it is likewise thought necessary that the several principal sums transferrable at the bank of England as aforesaid, amounting to the sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence, shall, with the consent of the proprietors thereof, (to be signified within the time herein after-mentioned) be converted into one joint stock of annuities, the interest or annuity to be charged and chargeable upon the sinking fund; and that the said several principal sums as aforesaid, amounting to the sum of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings, be, with the consent of the proprietors thereof, (to be signified as aforesaid) converted into one other joint stock of annuities, the interest or annuity to be charged and chargeable upon the said sinking fund; and that from and after the fifth day of April one thousand seven hundred and fifty eight, the said intended joint stock of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence, together with the said intended joint stock of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings, or so much thereof as shall be then unsatisfied, shall be one joint stock of annuities, and that the several duties and revenues which were given and granted for payment of the said annuities, and on which the same were charged, shall be carried into and made part of the said sinking fund; be it therefore further enacted by the authority aforesaid, That after the tenth day of October one thousand seven hundred and fifty two, and before the fifth day of April one thousand seven hundred and fifty three, the said several annuities, amounting to fourteen millions eight hundred fifty seven thousand

The aforesaid sums amounting to 17,571,573 l. 16s. 4d.

whereof 14,857,955 l. 18s. 4d. was first subscribed in pursuance of 23 Geo. 2. c. 1.

and 2,713,617 l. 18s. the residue last subscribed,

may be consolidated into one joint stock, transferrable at the thousand bank.

thousand nine hundred fifty five pounds eighteen shillings and four pence, may be consolidated and made one joint stock of annuities, transferrable at the bank of *England*; and that the said several annuities, amounting to two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings, may after the said tenth day of *October* one thousand seven hundred and fifty two, and before the said fifth day of *April* one thousand seven hundred and fifty three, be consolidated and made one other joint stock of annuities, transferrable at the bank of *England*, in the same manner as the said several and respective annuities are now transferrable until redemption thereof by parliament in manner herein after-mentioned; any thing in the said acts to the contrary thereof in any wise notwithstanding.

Subscribers
may immedi-
ately transfer
the annuities;

XII. And be it enacted, That all and every person and persons, bodies politick or corporate, who shall subscribe or signify their consent to the making their said annuities part of either of the said joint stocks of annuities as aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of the said joint stock, from the said tenth day of *October*, one thousand seven hundred and fifty two, as aforesaid.

which are to
be paid out of
the funds ap-
propriated
thereto unto
10 October
1752;

XIII. And be it enacted by the authority aforesaid, That all and every the said several and respective annuities, transferrable at the bank of *England* as aforesaid, shall be paid unto the said tenth day of *October* one thousand seven hundred and fifty two, out of the same rates, duties and impositions, as the said several and respective annuities are now paid and payable, together with other charges payable out of the same; that is to say, such of the said annuities as are made payable half-yearly at *Lady-day* and *Michaelmas*, shall be paid for the half-year to grow due on the said tenth day of *October* one thousand seven hundred and fifty two; and such of the said annuities as are made payable half-yearly at *Christmas* and *Midsummer* shall be paid for the quarter to grow due from *Midsummer* one thousand seven hundred and fifty two, to the said tenth day of *October* following; any thing in any former act to the contrary thereof in any wise notwithstanding: but in case the said monies arising in the said receipt of the *exchequer* shall not be sufficient to answer and pay the said several and respective annuities, and other charges, at the days appointed for payment thereof respectively, that then and in such case it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, to cause so much money to be issued out of the said sinking fund as shall be sufficient to answer and pay the said several and respective annuities as shall become due and payable until the said tenth day of *October* one thousand seven hundred and fifty two, and all other charges attending the same.

and if they
are deficient,
then out of
the sinking
fund;

after which
they are
charged on the
sinking fund,

XIV. And be it further enacted by the authority aforesaid, That from and after the said tenth day of *October* one thousand seven hundred and fifty two, all the said several and respective annuities

annuities, transferrable at the bank of *England*, amounting in the whole to the sum of seventeen millions five hundred seventy one thousand five hundred seventy three pounds sixteen shillings and four pence, as also such sum or sums of money as shall or may be made payable to the governor and company of the bank of *England* for the charges of management of the said annuities, shall be and they are hereby charged and chargeable upon the said sinking fund, and shall be issued and paid half-yearly, on the fifth day of *April* and the tenth day of *October* in every year, out of the surplus funds, and other duties and revenues composing the said sinking fund, and shall be deemed and taken to be charges and incumbrances thereupon, until redemption thereof by parliament; subject nevertheless to such charges and incumbrances as are already made thereupon by parliament: and the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or commissioners of the treasury of his Majesty, his heirs or successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, shall and may, from time to time, issue the same at the respective half-yearly or other days of payment, whereon the same shall become due or payable, at the said receipt of exchequer, to the first or chief cashier or cashiers of the governor and company of the bank of *England*, and their successors for the time being, by way of imprest, and upon account, for the purposes afore-mentioned; and that all and every such cashier or cashiers to whom the said monies shall be issued, shall from time to time, without delay, apply and pay the same accordingly, and render his account thereof, according to the due course of the exchequer; any thing herein before contained to the contrary notwithstanding.

and to be paid
half-yearly.

and money to
be issued to
the chief
cashier of the
bank, by way
of imprest.

XV. And be it further enacted by the authority aforesaid, That all and every the clauses and provisos relating to the annuities afore-mentioned, which were made payable or transferrable at the bank of *England*, shall remain in full force with respect to the annuities continued or established by this act, in all matters and things whatsoever, where the same shall not have been altered by this act, or other provisions made in respect thereof.

Provisoes re-
lating to the
said annuities
to remain in
force.

XVI. And be it further enacted by the authority aforesaid, That from and after the said tenth day of *October* one thousand seven hundred and fifty two, all the said rates, duties, impositions or revenues granted and appropriated by the said several and respective acts herein before recited for payment of the said several and respective annuities, transferrable at the bank of *England* as aforesaid, shall be carried to and made part of the said sinking fund (after reserving sufficient to pay the annuities for lives at the exchequer, and other charges and incumbrances charged on the said duties and revenues;) and the same shall be deemed and taken to be part of the said sinking fund, and shall be issued and applied to such uses and purposes as all and every other the duties and revenues composing the said sinking fund,

The funds ap-
propriated to
the annuities
to be carried
into the sink-
ing fund.

are

so that the capital sum amounted to the sum of four millions four hundred thousand pounds redeemable by parliament; which said sum of four millions four hundred thousand pounds is now reduced to the principal sum of four millions one hundred eighty nine thousand three hundred sixty five pounds and five shillings, attended with annuities after the rate of three pounds ten shillings per centum, pursuant to certain acts of parliament in that behalf; and the said rates and duties were likewise appropriated for the payment of the yearly sum of ninety one thousand four hundred eighty five pounds and six pence three farthings to the aggregate fund: and whereas by one other act of parliament made and passed in the twentieth year of his Majesty's reign, for granting several rates and duties upon coaches and other carriages, and for other purposes therein mentioned, several persons, bodies politick or corporate, did advance and lend upon the credit of the said rates and duties the principal sum of one million, for the purchase of annuities, transferrable at the bank of England, and redeemable by parliament; which said sum of one million is now reduced to the principal sum of nine hundred twenty nine thousand two hundred seventy six pounds ten shillings and six pence, attended with annuities after the rate of three pounds ten shillings per centum,

30 Geo. 2. c. 10. pursuant to certain acts of parliament in that behalf: and whereas by an act of parliament made and passed in the twenty first year of his Majesty's reign, for granting to his Majesty a subsidy of poundage upon all goods and merchandizes imported, and for other purposes therein mentioned, several persons, bodies politick or corporate, did advance and lend upon the credit of the said subsidy the principal sum of six millions three hundred thousand pounds, for the purchase of annuities, transferrable at the bank of England; and for the encouragement of all persons who should advance and lend the same, there was an advance of six hundred and thirty thousand pounds, being ten pounds per centum on the said sum contributed, so that the whole capital sum amounted to the sum of six millions nine hundred and thirty thousand pounds, redeemable by parliament; which said sum of six millions nine hundred and thirty thousand pounds, is now reduced to the principal sum of six millions six hundred sixty thousand and six pounds eighteen shillings and three pence, attended with annuities after the rate of three pounds ten shillings per centum, pursuant to certain acts of parliament in that behalf: and whereas by an act of

31 Geo. 2. c. 2. parliament made and passed in the twenty second year of his Majesty's reign, for charging the sinking fund with the payment of annuities in discharge of navy, victualling and transport bills, and ordnance debentures to the amount therein mentioned, certain persons, bodies politick and corporate, who were possessed of such bills and debentures, did subscribe the same at the bank of England, to the amount of three millions seventy two thousand four hundred seventy two pounds and ten pence, for annuities transferrable there, charged upon the said sinking fund, redeemable by parliament; which said sum of three millions seventy two thousand four hundred seventy two pounds and ten pence, is now reduced to the principal sum of two millions nine hundred sixty eight thousand four hundred ninety six pounds eight shillings and eight pence, attended with annuities after the rate of three pounds

ten shillings per centum, pursuant to certain acts of parliament in that behalf: and whereas the principal sums before-mentioned, now carrying an interest of three pounds ten shillings per centum per annum, transferrable at the bank of England as aforesaid, do amount in the whole to the sum of seventeen millions five hundred seventy one thousand five hundred seventy three pounds sixteen shillings and four pence; whereof the sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence was first subscribed, in pursuance of an act of parliament of the twenty third year of his Majesty's reign, for an annuity of three pounds ten shillings per centum, until the twenty fifth day of December one thousand seven hundred and fifty seven, which will be the fifth day of January one thousand seven hundred and fifty eight; and from and after the said twenty fifth day of December one thousand seven hundred and fifty seven, for annuities at three pounds per centum; and the residue thereof, amounting to the sum of two millions seven hundred thirteen thousand six hundred and seventeen pounds eighteen shillings, was last subscribed, in pursuance of another act of the same session of parliament, for an annuity of three pounds ten shillings per centum, until the twenty fifth day of December one thousand seven hundred and fifty five, which will be the fifth day of January one thousand seven hundred and fifty six; and from and after the twenty fifth day of December one thousand seven hundred and fifty five, for annuities of three pounds per centum: and whereas it is likewise thought necessary that the several principal sums transferrable at the bank of England as aforesaid, amounting to the sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence, shall, with the consent of the proprietors thereof, (to be signified within the time herein after-mentioned) be converted into one joint stock of annuities, the interest or annuity to be charged and chargeable upon the sinking fund; and that the said several principal sums as aforesaid, amounting to the sum of two millions seven hundred thirteen thousand six hundred and seventeen pounds eighteen shillings, be, with the consent of the proprietors thereof, (to be signified as aforesaid) converted into one other joint stock of annuities, the interest or annuity to be charged and chargeable upon the said sinking fund; and that from and after the fifth day of April one thousand seven hundred and fifty eight, the said intended joint stock of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence, together with the said intended joint stock of two millions seven hundred thirteen thousand six hundred and seventeen pounds eighteen shillings, or so much thereof as shall be then unsatisfied, shall be one joint stock of annuities, and that the several duties and revenues which were given and granted for payment of the said annuities, and on which the same were charged, shall be carried into and made part of the said sinking fund; be it therefore further enacted by the authority aforesaid, That after the tenth day of October one thousand seven hundred and fifty two, and before the fifth day of April one thousand seven hundred and fifty three, the said several annuities, amounting to fourteen millions eight hundred fifty seven thousand

The aforesaid sums amounting to 17,571,573 l. 16s. 4d.

whereof 14,857,955 l. 18s. 4d. was first subscribed in pursuance of 23 Geo. 2. c. 1.

and 2,713,617 l. 18s. the residue last subscribed,

may be consolidated into one joint stock, transferrable at the thousand bank.

thousand nine hundred fifty five pounds eighteen shillings and four pence, may be consolidated and made one joint stock of annuities, transferrable at the bank of *England*; and that the said several annuities, amounting to two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings, may after the said tenth day of *October* one thousand seven hundred and fifty two, and before the said fifth day of *April* one thousand seven hundred and fifty three, be consolidated and made one other joint stock of annuities, transferrable at the bank of *England*, in the same manner as the said several and respective annuities are now transferrable until redemption thereof by parliament in manner herein after-mentioned; any thing in the said acts to the contrary thereof in any wise notwithstanding.

Subscribers
may immedi-
ately transfer
the annuities;

XII. And be it enacted, That all and every person and persons, bodies politick or corporate, who shall subscribe or signify their consent to the making their said annuities part of either of the said joint stocks of annuities as aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of the said joint stock, from the said tenth day of *October*, one thousand seven hundred and fifty two, as aforesaid.

which are to
be paid out of
the funds ap-
propriated
thereto unto
10 October
1752;

XIII. And be it enacted by the authority aforesaid, That all and every the said several and respective annuities, transferrable at the bank of *England* as aforesaid, shall be paid unto the said tenth day of *October* one thousand seven hundred and fifty two, out of the same rates, duties and impositions, as the said several and respective annuities are now paid and payable, together with other charges payable out of the same; that is to say, such of the said annuities as are made payable half-yearly at *Lady-day* and *Michaelmas*, shall be paid for the half-year to grow due on the said tenth day of *October* one thousand seven hundred and fifty two; and such of the said annuities as are made payable half-yearly at *Christmas* and *Midsummer* shall be paid for the quarter to grow due from *Midsummer* one thousand seven hundred and fifty two, to the said tenth day of *October* following; any thing in any former act to the contrary thereof in any wise notwithstanding: but in case the said monies arising in the said receipt of the *exchequer* shall not be sufficient to answer and pay the said several and respective annuities, and other charges, at the days appointed for payment thereof respectively, that then and in such case it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, to cause so much money to be issued out of the said sinking fund as shall be sufficient to answer and pay the said several and respective annuities as shall become due and payable until the said tenth day of *October* one thousand seven hundred and fifty two, and all other charges attending the same.

and if they
are deficient,
then out of
the sinking
fund;

after which
they are
charged on the
sinking fund,

XIV. And be it further enacted by the authority aforesaid, That from and after the said tenth day of *October* one thousand seven hundred and fifty two, all the said several and respective annuities

annuities, transferrable at the bank of *England*, amounting in the whole to the sum of seventeen millions five hundred seventy one thousand five hundred seventy three pounds sixteen shillings and four pence, as also such sum or sums of money as shall or may be made payable to the governor and company of the bank of *England* for the charges of management of the said annuities, shall be and they are hereby charged and chargeable upon the said sinking fund, and shall be issued and paid half-yearly, on the fifth day of *April* and the tenth day of *October* in every year, out of the surplus funds, and other duties and revenues composing the said sinking fund, and shall be deemed and taken to be charges and incumbrances thereupon, until redemption thereof by parliament; subject nevertheless to such charges and incumbrances as are already made thereupon by parliament: and the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or commissioners of the treasury of his Majesty, his heirs or successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, shall and may, from time to time, issue the same at the respective half-yearly or other days of payment, whereon the same shall become due or payable, at the said receipt of exchequer, to the first or chief cashier or cashiers of the governor and company of the bank of *England*, and their successors for the time being, by way of imprest, and upon account, for the purposes afore-mentioned; and that all and every such cashier or cashiers to whom the said monies shall be issued, shall from time to time, without delay, apply and pay the same accordingly, and render his account thereof, according to the due course of the exchequer; any thing herein before contained to the contrary notwithstanding.

and to be paid
half-yearly.

and money to
be issued to
the chief
cashier of the
bank, by way
of imprest.

XV. And be it further enacted by the authority aforesaid, That all and every the clauses and provisos relating to the annuities afore-mentioned, which were made payable or transferrable at the bank of *England*, shall remain in full force with respect to the annuities continued or established by this act, in all matters and things whatsoever, where the same shall not have been altered by this act, or other provisions made in respect thereof.

Provisoes re-
lating to the
said annuities
to remain in
force.

XVI. And be it further enacted by the authority aforesaid, That from and after the said tenth day of *October* one thousand seven hundred and fifty two, all the said rates, duties, impositions or revenues granted and appropriated by the said several and respective acts herein before recited for payment of the said several and respective annuities, transferrable at the bank of *England* as aforesaid, shall be carried to and made part of the said sinking fund (after reserving sufficient to pay the annuities for lives at the exchequer, and other charges and incumbrances charged on the said duties and revenues;) and the same shall be deemed and taken to be part of the said sinking fund, and shall be issued and applied to such uses and purposes as all and every other the duties and revenues composing the said sinking fund,

The funds ap-
propriated to
the annuities
to be carried
into the sink-
ing fund.

are

are or may be issued and applied ; any thing in any former act or acts of parliament to the contrary thereof in any wife notwithstanding.

The proprietors of exchequer orders payable out of the duties on plate, allowed to subscribe the same,
6 Geo. I. c. 11.

XVII. *And whereas by an act of parliament made and passed in the sixth year of his late Majesty's reign, certain annuities were created at the exchequer payable out of the duties on wrought plate, to the amount of three hundred and twelve thousand pounds, whereof there is now remaining the sum of one hundred and twenty nine thousand seven hundred and fifty pounds ;* be it further enacted by the authority aforesaid, That all and every the proprietors of tallies and orders for the said annuities, which were subscribed pursuant to the two acts of parliament before recited, shall, from and after the said tenth day of *October* one thousand seven hundred and fifty two, until the said fifth day of *April* one thousand seven hundred and fifty three, have liberty to subscribe their said tallies and orders at the bank of *England*, into the several joint stocks of annuities ; that is to say, such of the said annuities as were first subscribed pursuant to the said act of the twenty third year of his Majesty's reign, shall be added to the said joint stock of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence ; and such of the said annuities as were subscribed pursuant to another act of the same session of parliament, shall be added to the said joint stock of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings ; and the said joint stocks of annuities respectively, shall have an additional annuity for such sum or sums of the said plate annuities as shall be so subscribed into the said joint stocks respectively, from the said tenth day of *October* one thousand seven hundred and fifty two, payable out of the said surplus funds, and any of the duties and revenues composing the said sinking fund.

Power to transfer immediately.

XVIII. And be it enacted, That all and every person or persons, bodies politick or corporate, who shall subscribe their said orders into either of the joint stocks of annuities aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of such joint stock of annuities, from the said tenth day of *October* one thousand seven hundred and fifty two as aforesaid.

The duties to be carried into the sinking fund.

XIX. And be it further enacted by the authority aforesaid, That the said duty on wrought plate, provided all the said annuities charged thereupon shall be so subscribed, or the surplus thereof, in case all the said annuities shall not be subscribed, shall be transferred unto and made part of the said sinking fund ; any thing in any former act or acts of parliament to the contrary thereof in any wife notwithstanding.

The said annuities to be one joint stock transferrable at the bank.

XX. And be it further enacted by the authority aforesaid, That from and after the said fifth day of *April* one thousand seven hundred and fifty eight, the said joint stock of the first subscribed bank annuities, after the rate of three pounds ten shillings *per centum per annum* ; as also such of the said plate annuities as shall be subscribed thereunto, with so much of the said
second

second subscribed bank annuities, after the said rate of three pounds ten shillings *per centum per annum*; as also such of the said plate annuities as shall be subscribed thereunto as aforesaid, and shall then remain unsatisfied and not paid off, shall be made one joint stock of annuities, transferrable at the bank of *England*, until redemption thereof by parliament, in manner herein after mentioned; any thing in this or any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

XXI. And be it further enacted by the authority aforesaid, ^{Bank to provide books for subscriptions,} That the governor and company of the bank of *England* shall, and they are hereby required to cause such books to be prepared as shall be necessary for receiving the subscription or consent of such of the proprietors of the several and respective annuities, after the rate of three pounds ten shillings *per centum per annum*, transferrable at their office; and also of the proprietors of the several annuities, tallies and orders payable at the exchequer, out of the duties on wrought plate, as shall subscribe the same into the several joint stocks of annuities before mentioned; which books shall be constantly kept open at the said bank of *England* for that purpose, every day, *Sundays* and holidays only excepted, from the said tenth day of *October* one thousand seven hundred and fifty two, to the said fifth day of *April* one thousand seven hundred and fifty three inclusive, and no longer, ^{to be open from 10 October 1752, to 5 April 1753, &c.} subject nevertheless to such further directions, with respect to the taking in or receiving such subscriptions or consents from the proprietors of the said annuities, after the rate of three pounds ten shillings *per centum per annum*, as shall or may be given by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being, for the benefit and advantage of the publick; and it shall and may be lawful to and for the proprietors of the said several and respective annuities, their respective attornies, representatives or assigns, or such person or persons as he, she or they shall respectively authorize and empower, by writing, in that behalf, to subscribe for them; and all persons empowered to receive any interest or dividend that shall become due on the said annuities, shall, and they have hereby power to make their subscriptions and give their consents in the said respective books accordingly, without any fee or charge, at any time between the said tenth day of *October* one thousand seven hundred and fifty two, and the said fifth day of *April* one thousand seven hundred and fifty three, in manner following; that is to say, That such of the said annuities as were first subscribed in pursuance of the before recited act of the twenty third year of his Majesty's reign, shall be subscribed into the joint stock of annuities, amounting to the principal sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence; and such of the said annuities as were last subscribed in pursuance of one other act of the same session of parliament, shall be subscribed into the joint stock of annuities, amounting ^{The proprietors may subscribe;} ^{viz. the annuities first subscribed to be subscribed into the joint stock, amounting to 14,857,955 l. 18 s. 4 d. and the last subscribed, into}

The joint stock,
amounting to
the sum of
2,713,617 l.
18 s.

Officers to at-
tend to take
in subscrip-
tions.

Executors,
&c. may sub-
scribe.

The tallies
and orders to
be delivered
up to the ac-
compant ge-
neral of the
bank,

and to be
transmitted to
the exchequer
to be can-
celled.

Clause of re-
demption.

to the principal sum of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings; and the several officers of the said governor and company who shall be appointed to take in the said subscriptions, or receive such consents as aforesaid, shall, during the time aforesaid, constantly attend at the said office for that purpose, at such hours as business is usually transacted there.

XXII. And it is hereby enacted by the authority aforesaid, That it shall and may be lawful for all executors, administrators, guardians, trustees, committees of the estates of idiots or lunatics, and the accomptant general of the court of *Chancery*, and the deputy remembrancer of his Majesty's court of *Exchequer*, and the attornies, representatives or assignees of such executors, administrators, guardians, trustees and committees, to make or cause to be made subscriptions in the book or books herein before mentioned, signifying their consent to subscribe the several and respective annuities herein before-mentioned, carrying an interest after the rate of three pounds ten shillings *per centum per annum* and three pounds *per centum per annum* into the several and respective joint stocks of annuities aforesaid, for and on the behalf of their respective testators, infants, minors, females covert, idiots or lunatics, and the suitors of the court of *Chancery*, and of the said court of *Exchequer*, and others, for whom they are or shall be respectively intrusted; and such executors, administrators, guardians, trustees, committees, and the attornies, representatives or assignees of such executors, administrators, guardians, trustees and committees, and the accomptant general and deputy remembrancer, are and shall be, by virtue of this act, indemnified in and for the doing the same.

XXIII. And be it further enacted, That all and every the tallies and orders which shall be subscribed for annuities, transferrable at the bank of *England*, in pursuance of this act, shall be delivered up by the respective proprietor or proprietors thereof, or by his, her or their respective attornies or representatives, to the accomptant general of the bank of *England*, or to such person or persons who shall be employed by the governor and company of the bank of *England*, to take such subscriptions, who is hereby empowered to give credit to the said proprietor, for so much interest or share in the joint stocks of annuities respectively, to which the same shall be subscribed, pursuant to the directions in this act before-mentioned and expressed, as the said principal sums in the said tallies and orders shall amount unto; and the tallies and orders so subscribed, shall be transmitted by the said accomptant general, or other person or persons empowered to take such subscriptions as aforesaid, into the office of the auditor of the receipt of his Majesty's exchequer, to be there cancelled and made void.

XXIV. Provided also, and it is hereby enacted by the authority aforesaid, That at any time upon one year's notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, and upon repayment by parliament, according

to such notice, of the said several and respective sums, or any part thereof, for which the said several and respective annuities or any of them shall be payable, by payments not less than five hundred thousand pounds at one time, in such manner as shall be directed by any future act or acts of parliament in that behalf and also upon full payment of all arrearages of the same annuities; then, and not till then, so much of the said several and respective annuities as shall be attending on the said principal sums so paid off, shall cease, determine and be understood to be redeemed; and that any vote or resolution of the house of commons, signified by the speaker in writing, to be inserted in the said *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient notice within the words and meaning of this act.

XXV. Provided nevertheless, That no part of any of the Annuities subscribed in pursuance of the said two acts of the twenty third year of his Majesty's reign, shall be liable to be redeemed before the times therein respectively limited; any thing herein contained to the contrary thereof in any wise notwithstanding.

XXVI. And be it further enacted by the authority aforesaid, That from and after the said fifth day of *April* one thousand last subscribed seven hundred and fifty eight, the joint stock of the first subscribed *Old South Sea* annuities, with as much of the joint stock of the second subscribed *Old South Sea* annuities as shall be then unsatisfied, shall be made one joint stock of *Old South Sea* annuities.

XXVII. And be it further enacted by the authority aforesaid, That from and after the said fifth day of *January* one thousand seven hundred and fifty eight, the joint stock of the first subscribed *New South Sea* annuities, with so much of the joint stock of the second subscribed *New South Sea* annuities as shall be then unsatisfied, shall be made into one new joint stock of *South Sea* annuities.

CAP. XXVIII.

An act for repairing the post road from the city of Edinburgh through the counties of Linlithgow and Sterling, from the Boat-house Ford on Almond Water, and from thence to the town of Linlithgow, and from the said town to Falkirk, and from thence to Sterling: and also from Falkirk to Kilfyth, and to Inch Bellie Bridge, on the post road to the city of Glasgow. *Certain tolls granted for 21 years.*

CAP. XXIX.

An act for giving a proper reward to coroners for the due execution of their office; and for the removal of coroners upon a lawful conviction for certain misdemeanors.

WHEREAS the office of coroner is a very ancient and necessary office: and whereas by an act made in the third year of the reign of King Henry the Seventh, reciting that coroners had, not, nor ought to have, any thing by the law for their office doing; which oft-time had been the occasion that coroners had been remiss in doing

Hen. 7. c. 1.

doing their office: it was ordained, That a coroner should have for his fee, upon every inquisition taken upon the view of the body slain, thirteen shillings and four pence, of the goods and chattels of him that is the slayer and murderer, if he have any goods; and if he have no goods, of such amerciements as should fortune any township to be amerced, for the escape of the murderer: and whereas the said fee of thirteen shillings and four pence, due only upon an inquisition taken upon the view of a body slain or murdered, and payable only out of the goods and chattels of the slayer or murderer, or out of the amerciements imposed upon the township, if the murderer escape, is not an adequate reward for the general execution of the said office: to the intent therefore that coroners may be encouraged to execute their office with diligence and integrity; be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same,

Coroner to be paid 20 s. for every inquisition taken in any township contributing to the county rates, (except on bodies dying in gaol) and 9 d. for every mile he shall be obliged to travel, to be paid out of the county rates;

*That for every inquisition, not taken upon the view of a body dying in a gaol or prison, which from and after the twenty fourth day of June one thousand seven hundred and fifty two, shall be duly taken within that part of Great Britain called England, by any coroner or coroners, in any township or place, contributory to the rates directed by an act made in the twelfth year of the reign of his present Majesty, intituled, *An act for the more easy assessing, collecting and levying of county rates*, the sum of twenty shillings; and for every mile which he or they shall be compelled to travel, from the usual place of his or their abode, to take such inquisition, the further sum of nine pence, over and above the said sum of twenty shillings, shall be paid to him or them out of any monies arising from the rates before-mentioned, by order of the justices of the peace in their general or quarter sessions assembled, for the county, riding, division or liberty where such inquisition shall have been taken, or the major part of them; which order the said justices of the peace so assembled, or the major part of them, are hereby authorized and directed to make; for which order no fee or reward shall be paid to the clerk of the peace or any other officer.*

and for every inquisition on bodies dying in gaol, as the justices shall think fit;

II. And be it further enacted by the authority aforesaid, *That for every inquisition, which from and after the said twenty fourth day of June one thousand seven hundred and fifty two, shall be duly taken upon the view of a body dying in any gaol or prison, within that part of Great Britain called England, by any coroner or coroners of a county, so much money not exceeding the sum of twenty shillings, shall be paid to him or them, as the justices of the peace in their general or quarter sessions assembled for the county, riding or division wherein such gaol or prison is situate, or the major part of them, shall think fit to allow as a recompence for his or their labour, pains and charges in taking such inquisition, to be paid in like manner by order of the said justices, or the major part of them, out of any monies arising from the said rates; which order the said justices of the peace so assembled, or the major part of them, are hereby authorized*

horized and directed to make; for which order no fee or reward shall be paid to the clerk of the peace or any other officer.

III. Provided nevertheless, That over and above the recompence hereby limited and appointed for inquisitions taken as aforesaid, the coroner or coroners who shall take an inquisition upon the view of a body slain or murdered, shall also have the fee of thirteen shillings and four pence, payable by virtue of the said act made in the third year of the reign of King *Henry* the Seventh, out of the goods and chattels of the slayer or murderer, or out of the amerciaments imposed upon the township, if the slayer and murderer escape; any thing in this act contained to the contrary thereof in any wise notwithstanding.

and for inquisitions on a body slain, 13 s. 4 d. over and above.

IV. Provided also, and be it declared and enacted by the authority aforesaid, That no coroner to whom any benefit is given by this act, shall, by colour of his office, or upon any pretext whatsoever, take for his office doing, in case of the death of any person, any fee or reward, other than the said fee of thirteen shillings and four pence, limited as is aforesaid by the said act made in the third year of the reign of King *Henry* the Seventh, and other than the recompence hereby limited and appointed, upon pain of being deemed guilty of extortion.

Coroner taking more, guilty of extortion.

V. Provided likewise, and be it further enacted by the authority aforesaid, That no coroner of the King's household, and of the verge of the King's palaces, nor any coroner of the admiralty, nor any coroner of the county palatine of *Durham*, nor any coroner of the city of *London* and borough of *Southwark*, or of any franchises belonging to the said city; nor any coroner of any city, borough, town, liberty or franchise, which is not contributory to the rates directed by the said act, made in the twelfth year of the reign of his present Majesty, or within which such rates have not been usually assessed, shall be intitled to any fee, recompence or benefit given to or provided for coroners by this act; but that it shall and may be lawful for all such coroners as are last-mentioned, to have and receive all such fees, salaries, wages and allowances as they were intitled to by law before the making of this act, or as shall be given or allowed to them by the person or persons by whom they have been or shall be appointed.

Coroners for particular places excepted.

VI. And be it further enacted by the authority aforesaid, That if any coroner who is not appointed by virtue of an annual election or nomination, or whose office of coroner is not annexed to any other office, shall from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, be lawfully convicted of extortion, or wilful neglect of his duty, or misdemeanor in his office, it shall be lawful for the court before whom he shall be so convicted, to adjudge that he shall be removed from his office; and thereupon, if such coroner shall have been elected by the freeholders of any county, a writ shall issue for the removing him from his office, and electing another coroner in his stead, in such manner as writs for the removal or discharge of coroners, and for electing coroners in their stead,

Coroner convicted of misdemeanor in his office, to be removed.

are

are in any cases already directed by law: and if the coroner so convicted shall have been appointed by the lord or lords of any liberty or franchise, or in any other manner than by the election of the freeholders of any county, the lord or lords of such liberty or franchise, or the person or persons intitled to the nomination or appointment of any such coroner, shall, upon notice of such judgment of amoval, nominate and appoint another person to be coroner in his stead.

C A P. XXX.

An act to amend an act made in the last session of parliament, (intituled, An act for regulating the commencement of the year, and for correcting the calendar now in use.)

24 Geo. 2. C. 23.

WHEREAS by an act of parliament made in the twenty fourth year of the reign of his present Majesty, (intituled, An act for regulating the commencement of the year, and for correcting the calendar now in use) it is among other things enacted, That the natural day next immediately following the second day of September, which shall be in the year of our Lord one thousand seven hundred and fifty two, shall be reckoned and accounted to be the fourteenth day of September, omitting for that time only, the eleven intermediate nominal days of the common calendar, and that the days immediately succeeding shall be called, reckoned and numbered forwards in numerical order, from the said fourteenth day of September, and that all meetings and assemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any such officers entering upon the execution of their respective offices, or for any other purpose which by law, charter, custom or usage, are to be holden on any fixed or certain day of any month, shall from and after the said second day of September, be holden and kept upon or according to the same respective nominal days and times whereon the same are then to be holden; but which should be computed according to the new method of numbering and reckoning the days of the calendar as therein mentioned, as by the said act may more fully appear: and whereas by the charters, customs or usage of some cities, boroughs, towns or other communities, or bodies politick or corporate, the election of officers, or the entrance of officers on the execution of their offices, or the doing of some other corporate acts, may be fixed or required to be on some certain nominal day or days of the said month of September, falling between the second and fourteenth days of the same month, which said nominal days, are by the said act required to be dropt or omitted for this present year, so that there will not in fact be any nominal days between the said second and fourteenth days of the said month of September for this present year, whereon such corporate acts can be done; and doubts have arisen whether such corporate acts may be done at all without a special provision for that purpose, by authority of parliament; and inconveniencies may possibly ensue for want thereof; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and

and by the authority of the same, That it shall and may be lawful to and for all such bodies politick and corporate as aforesaid, and all and every the officers and members thereof, and they and every of them are hereby required to do all such acts, as by any law, charter or usage are appointed or required to be done on any of the nominal days of or in the said month of *September*, which by the said recited act are directed to be dropt or omitted for this present year, upon the same natural day or days of this year only, as such acts would, might or ought to be done, in case the said recited act had not been made; and that all acts so done in pursuance hereof shall be deemed and are hereby declared and enacted to be as good and effectual to all intents and purposes, as if the same were done on any of the nominal days so dropt or omitted as aforesaid; any law, statute, charter, custom or usage to the contrary in any wise notwithstanding.

The election of officers, &c. to be done up on upon the same natural days of this year only, as before.

II. *And whereas in divers parts of this kingdom, by custom, prescription or usage, or by virtue of some law or contract, certain lands and grounds are to be opened and used for common of pasture or other purposes, and the same lands and grounds are again inclosed and shut up, and certain rents or other payments are due and payable, and some other matters and things may be to be done upon some of the moveable feasts, or upon certain days or times depending upon or to be computed from the same: and whereas the said moveable feasts are hereafter to take place, and to be observed according to the new calendar by the said act directed to be used, whereby some doubts have already arisen, or may hereafter arise, about the time for opening and using, inclosing and shutting up such lands and grounds, the paying of such rents or other payments, and the doing such other matters or things as aforesaid; for remedy thereof be it further enacted by the authority aforesaid, That from and after the said second day of September in the said year of our Lord one thousand seven hundred and fifty two, the respective times for opening, using, inclosing and shutting up all such lands and grounds as aforesaid, for the paying of such rents or other payments, and for the doing of such other matters or things as aforesaid, if such times are depending on any moveable feast or feasts, shall be computed and take place according to the said new calendar, and the tables and rules in the said recited act directed to be used, and not according to the method of supputation heretofore used, or to the tables heretofore commonly affixed to the book of common prayer; and the temporary and distinct property and right of all persons, bodies politick and corporate, of, to and in all such lands and grounds, shall commence and be enjoyed, and all such rents and payments shall become and be due and payable, and all such matters and things shall be transacted and done accordingly; any law, custom, prescription or usage to the contrary notwithstanding.*

The times for opening and inclosing grounds for common, and payment of rents, &c. if the same depend on any moveable feast, are to be according to the new calendar.

III. Provided always, and it is hereby further declared and enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend to the abridging,

The title to such lands not altered.

ing, enlarging, confirming or altering, the title of any person, body politick or corporate whatsoever, of in or to any such lands or grounds, but the same shall remain and continue the same in all respects, (except as to the new computation of time when such respective right or the enjoyment thereof shall commence, or be put in use.)

IV. *And whereas within the city of London the usual and accustomed time of the annual meeting and assembly of the citizens of the said city, for the admission and swearing of the mayor of the same city in the Guildhall there, hath been on the feast day of Saint Simon and Jude, being the twenty eighth day of October, in every year; and the usual and accustomed solemnity of presenting and swearing the mayor of the same city in the court of exchequer at Westminster, hath been on the day next following the said feast of Saint Simon and Jude, to wit, on the twenty ninth day of October in every year: and whereas by the said in part recited act it was enacted, That all meetings and assemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any such officers entering upon the execution of their respective offices, or for any other purpose whatsoever, which by any law, statute, charter, custom or usage within this kingdom, were to be holden and kept on any fixed or certain day of any month, should, from and after the second day of September one thousand seven hundred and fifty two now next ensuing, be holden and kept upon or according to the same respective nominal days and times whereon or according to which the same were, at the time of making the said act, to be holden: and whereas by another act of parliament made in the same twenty fourth year of the reign of his present Majesty, intituled, An act for the abbreviation of Michaelmas term, it was enacted, That the said solemnity of presenting and swearing the mayors of the said city of London, before the King or Queen of England, in their court of Exchequer at Westminster, or before the barons of the said court, after every annual election into the said office, in the manner and form heretofore used, on the twenty ninth day of October, should, from and after the feast of Saint Michael in the year of our Lord one thousand seven hundred and fifty two, be kept and observed on the ninth day of November in every year; be it therefore enacted by the authority aforesaid, That the said annual admission and swearing of the mayor of the said city of London, at the Guildhall there, shall not at any time hereafter be had and performed on the said twenty eighth day of October; but the same, and all annual meetings and assemblies for that purpose, shall at all times hereafter be had, done and holden in the usual and accustomed manner on the eighth day of November in every year, being the day next preceeding the said ninth day of November, whereon the said solemnity of presenting and swearing the mayor of the said city in the court of Exchequer is appointed for the future to be kept and observed as aforesaid, and not before; any thing in the said first recited act of parliament, or any law, custom or usage to the contrary thereof in any wise notwithstanding.*

24 Geo. 2. c. 48.

The annual admission and swearing of the mayor of London to be on 8 Nov.

CAP. XXXI.

An act to continue, explain and amend feveral laws more effectually to prevent the fpreading of the diftemper which now rages amongft the horned cattle in this kingdom.

CAP. XXXII.

An act to allow the importation of gum fenega into this kingdom, from any part of Europe, upon the payment of a duty; and for relief of James Guthrie, with refpect to the duties paid and fecured upon a quantity of tobacco burnt at the port of Kircudbright; and for giving further time for payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices.

WHEREAS the printing of filks, linens and callicoës, is greatly improved in this kingdom: and the value of the faid manufactures is thereby confiderably enhanced, and the exportation thereof increafed: and whereas the printing of the faid manufactures cannot be carried to perfection without a fufficient quantity of gum fenega; the importation of which hath of late greatly decreafed, and the price thereof advanced to an exceffive rate, whereby it is become neceffary that fome provision fhould be made for the more effectual and conftant fupply of that ufeul and valuable commodity, in order to encourage, fupport and extend the faid trade: and whereas gum fenega cannot otherwife be imported into this kingdom than according to the rules prefcribed by an act made in the twelfth year of the reign of King Charles the Second, intituled, An act for the encouraging and in-
11 Car. 2. c. 18. creafing of fhipping and navigation: Therefore we, your Majefty's moft faithful commons, in order to fupport and extend the faid trade, by allowing the importation of gum fenega from any place in Europe, fo as not to difcourage the importation of the faid commodity from the places of its growth or produce, do moft humbly befcech your moft excellent Majefty, that it may be enacted; and be it enacted by the King's moft excellent Majefty, by and with the advice and confent of the lords fpiritual and temporal and commons in this prefent parliament afsembled, and by the authority of the fame, That from and after the tenth day of April one thoufand feven hundred and fifty two, it fhall and may be lawful to and for any of his Majefty's fubjects to import into this kingdom gum fenega, in Britifh built fhips, navigated according to law, from any port or place in Europe, upon payment of the duty, and under the reftrictions and limitations herein after-mentioned; any thing in the faid act made in the twelfth year of the reign of King Charles the Second, or in any other act or acts of parliament to the contrary in any wife notwithstanding.

Gum Senega allowed to be imported from any part of Europe,

II. And be it further enacted by the authority aforefaid, That upon payment there fhall be paid to his Majefty, his heirs and fucceffors, for every hundred pounds weight of gum fenega, which at any time or times after the faid tenth day of April one thoufand feven hundred and fifty two, fhall be imported or brought into this

of 10s. per hundred weight.

kingdom, from any port or place in *Europe*, by the importer of fuch gum fenega, before the landing thereof, a duty of ten fhillings; and fo in proportion for any greater or lefs quantity.

To be under the management of the commissioners of the customs.

III. And be it further enacted by the authority aforesaid, That the faid duty hereby granted and made payable, fhall be raifed, levied and collected, by the refpective officers of his Majefty's customs in this kingdom, under the management and direction of the refpective commissioners of the customs for the time being; and that all and every the claufes, powers, directions, penalties, forfeitures, matters and things whatfoever, contained in an act made in the twelfth year of the reign of King *Charles* the Second, intituled, *A fubfidy granted to the King of tonnage and poundage, and other fums of money payable upon merchandize exported and imported*, or in any other laws or ftatutes whatfoever now in force for raifing, levying, collecting, anfwering and paying the fubfidy of tonnage and poundage thereby granted, fhall be applied, praifed and put in execution, for raifing, levying, fecuring, collecting, anfwering and paying the duty by this act granted and made payable, as fully and effectually to all intents and purpofes as if all and every the faid claufes, powers, directions, penalties and forfeitures were particularly repeated, and again enacted, in the body of this prefent act.

72 Car. 2. c. 4.



Making a falfe entry,

IV. And be it further enacted by the authority aforesaid, That if any perfon or perfons fhall enter, or caufe to be entered, any gum fenega as imported immediately from the place of its growth or produce, or from any of his Majefty's colonies or plantations in *America*, in order to avoid the payment of the duty by this act granted and made payable, which gum fenega fhall afterwards appear to have been imported from fome port or place in *Europe*, the perfon or perfons making, or caufing to be made, fuch entry or entries, fhall forfeit all fuch gum fenega fo entered, and alfo double the value thereof, to be fued for and recovered by bill, plaint or information, in any of his Majefty's courts of record at *Westminfter*, or in the court of *Exchequer* in *Scotland* refpectively, wherein no effoin, protection, wager of law, or more than one imparlance, fhall be allowed; and one moiety of the faid forfeiture, when recovered, fhall go and be applied to the ufe of his Majefty, his heirs and fucceffors, and the other moiety to the ufe of the perfon or perfons who fhall fue or profecute for the fame.

to forfeit the fame, and double the value;

one moiety to the King, and the other to the profecutor.

Onus Probandi to lie on the importers.

V. Provided always, and be it enacted, That upon all difputes which fhall arife touching the port or place from whence any gum fenega fhall have been imported, the *Onus Probandi* fhall lie on the importer, and not on the informer or profecutor; any law, custom or ufage to the contrary notwithstanding.

Duties to be kept apart, to be applied by parliament.

VI. And be it further enacted by the authority aforesaid, That the money arifing by the duty hereby granted and made payable (the neceffary charges of raifing the fame excepted) fhall from time to time be paid into the receipt of his Majefty's exchequer, diftinctly and apart from all other branches of the publick revenues,

venues, fubject and liable to the uſes, applications and purpoſes, as ſhall by any future act or acts of parliament be directed or appointed.

VII. *And whereas the ſhip Neptune of Dumfries, James Sturgeon maſter, being loaded with tobacco, and bound to the port of Diepe in France, was on the ſixteenth day of June one thouſand ſeven hundred and fifty overſet within the limits of the port of Kircudbright, whereby a quantity of tobacco, amounting to two hundred and twenty three thouſand four hundred and eight pounds, was totally damaged and rendered uſeleſs, the duties whereof had been paid and ſecured at the ſaid port of Kircudbright, by James Guthrie and company, merchants in Dumfries, and others, at importation, according to law: and whereas the whole of the ſaid damaged tobacco was burnt in the ſight, and by the direction of the officers of his Majeſty's cuſtoms at the ſaid port of Kircudbright, and no part thereof ſold or conſumed in Great Britain; Be it therefore enacted by the authority aforeſaid, That the collector or other proper officer or officers at the ſaid port of Kircudbright ſhall, and they are hereby impowered and required to make out and grant a proper debenture or debentures for the ſaid two hundred and twenty three thouſand four hundred and eight pounds of tobacco, whereby the ſaid James Guthrie and company may be intitled to draw back ſuch part of the duties of the ſaid tobacco as had been paid at the importation thereof, and whereby the bonds or ſecurities granted for the remainder of the ſaid duties may be diſcharged and vacated, together with any intereſt become due thereon ſince the ſaid ſixteenth day of June one thouſand ſeven hundred and fifty, in the ſame manner as if the ſaid tobaccoes had been then exported to parts beyond ſea; and the ſaid bonds and ſecurities ſo given, with the ſaid intereſt, ſhall from henceforth be diſcharged and vacated, and the ſame are hereby declared to be diſcharged and vacated accordingly; any act or acts of parliament to the contrary notwithstanding.*

Collectors of Kircudbright to make a debenture for 223.480 lb. of tobacco belonging to James Guthrie, for which duty had been paid, &c.

Time given to make payment of the duties omitted to be paid for the indentures or contracts of clerks and apprentices, and for tendering the ſame to be ſtamped, &c.

CAP. XXXIII.

An act for repairing the road leading from the town of Morpeth, by or through Mitford, Thropple, Long Witton, and by the north ſide of Rothley Park wail to Sting Crofs, and to the High Crofs in Elſdon in the county of Northumberland. *Certain tolls granted for 21 years.*

CAP. XXXIV.

An act for the more eaſy and ſpeedy recovery of ſmall debts within the town of Birmingham, and hamlet of Deritend thereto adjoining, in the county of Warwick.

CAP. XXXV.

An act for continuing the act for encouraging the growth of coffee in his Majesty's plantations in America; and also for continuing, under certain regulations, so much of an act as relates to the Præmiums upon the importation of masts, yards and bowsprits, tar, pitch and turpentine.

Geo. 2. c. 24.
for encourag-
ing the growth
of coffee, con-
tinued to 25
March 1758,
&c.

WHEREAS the laws herein after-mentioned have by experience been found useful and beneficial, and are near expiring: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That an act made in the fifth year of the reign of his present Majesty, (intituled, *An act for encouraging the growth of coffee in his Majesty's plantations in America*) which was to continue in force from the twenty fifth day of *March* one thousand seven hundred and thirty nine, and from thence to the end of the then next session of parliament; and which by an act made in the eleventh year of his present Majesty's reign, was further continued from the expiration thereof for the further term of seven years, and from thence to the end of the then next session of parliament; and which by an act made in the nineteenth year of his present Majesty's reign, was further continued from the expiration of the said last-mentioned term for the further term of seven years, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the twenty fifth day of *March* one thousand seven hundred and fifty eight, and from thence to the end of the then next session of parliament.

So much of 3
Geo. 2. c. 35.
as relates to
the præmiums
on the impor-
tation of
masts, yards
and bowsprits,
tar, pitch and
turpentine,
further conti-
nued to 25
March 1758.

II. And be it further enacted by the authority aforesaid, That so much of an act made in the second year of his present Majesty (intituled, *An act for the better preservation of his Majesty's woods in America; and for the encouragement of the importation of naval stores from thence, and to encourage the importation of masts, yards and bowsprits, from that part of Great Britain called Scotland*) as relates to the *Præmiums* upon masts, yards and bowsprits, tar, pitch and turpentine; which was to continue in force from the twenty ninth day of *September* one thousand seven hundred and twenty nine, for the term of thirteen years, and to the end of the then next session of parliament; and which by another act made in the thirteenth year of the reign of his present Majesty, was continued until the twenty fifth day of *December* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament; and which, by another act made in the twenty fourth year of his Majesty's reign, was further continued, from the expiration thereof, until the twenty fifth day of *December* one thousand seven hundred and fifty one, and from thence to the end of the then next session of

of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the twenty fifth day of *March* one thouſand ſeven hundred and fifty eight, and from thence to the end of the then next ſeſſion of parliament.

III. Provided, That no bounty ſhall be paid on any tar, unleſs each barrel ſhall contain thirty one gallons and one half, and that the officers who ſurvey ſuch barrel, ſhall not ſurvey the ſame till the water ſhall be all drawn off, and every barrel filled up with tar.

Regulation to be obſerved concerning tar.

C A P. XXXVI.

An act for the better preventing thefts and robberies, and for regulating places of publick entertainment, and puniſhing perſons keeping diſorderly houſes.

WHEREAS the advertiſing a reward with no queſtions asked, for the return of things which have been loſt or ſtolen, is one great cauſe and encouragement of thefts and robberies; be it enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of *June* one thouſand ſeven hundred and fifty two, any perſon publickly advertiſing a reward with no queſtions asked, for the return of things which have been ſtolen or loſt, or making uſe of any words in ſuch publick advertiſement, purporting that ſuch reward ſhall be given or paid without ſeizing or making enquiry after the perſon producing ſuch thing ſo ſtolen or loſt, or promiſing or offering, in any ſuch publick advertiſement, to return to any pawnbroker, or other perſon, who may have bought or advanced money by way of loan upon ſuch thing ſo ſtolen or loſt the money to paid or advanced, or any other ſum of money or reward for the return of ſuch thing; and any perſon printing or publiſhing ſuch advertiſement, ſhall reſpectively forfeit the ſum of fifty pounds for every ſuch offence, to any perſon who will ſue for the ſame.

The perſon advertiſing a reward for the return of things ſtolen or loſt, &c,

and the printer to forfeit 50 l.

II. And whereas the multitude of places of entertainment for the lower ſort of people is another great cauſe of thefts and robberies, as they are thereby tempted to ſpend their ſmall ſubſtance in riotous pleaſures, and in conſequence are put on unlawful methods of ſupplying their wants, and renewing their pleaſures: in order therefore to prevent the ſaid temptation to thefts and robberies, and to correct as far as may be the habit of idleneſs, which is become too general over the whole kingdom, and is productive of much miſchief and inconvenience; be it enacted by the authority aforeſaid, That from and after the firſt day of *December* one thouſand ſeven hundred and fifty two, any houſe, room, garden, or other place kept for publick dancing, muſick, or other publick entertainment of the like kind, in the cities of *London* and *Weſtmiſter*, or within twenty miles thereof, without a licence had for that purpoſe, from the laſt preceding *Michaelmas* quarterſeſſions of the peace, to be holden for the county, city, riding,

Unlicenſ'd places of entertainment, deemed diſorderly houſes.

Constables
may seize per-
sons found
therein.

Person keep-
ing the same,
to forfeit 100l.

Licensed pla-
ces to have an
inscription o-
ver them,

and not to be
opened before
5 in the even-
ing.

On breach of
either of the
conditions the
licence to be
revoked.

The theatres
royal or per-
formances li-
censed by the
crown or lord
chamberlain,
excepted.

liberty or division in which such house, room, garden, or other place is situate, (who are hereby authorized and impowered to grant such licences as they in their discretion shall think proper) signified under the hands and seals of four or more of the justices there assembled, shall be deemed a disorderly house or place: and every such licence shall be signed and sealed by the said justices in open court, and afterwards be publickly read by the clerk of the peace, together with the names of the justices subscribing the same; and no such licence shall be granted at any adjourned sessions; nor shall any fee or reward be taken for any such licence: and it shall and may be lawful to and for any constable, or other person, being thereunto authorized, by warrant under the hand and seal of one or more of his Majesty's justices of the peace of the county, city, riding, division or liberty where such house or place shall be situate, to enter such house or place, and to seize every person who shall be found therein, in order that they may be dealt with according to law: and every person keeping such house, room, garden, or other place, without such licence as aforesaid, shall forfeit the sum of one hundred pounds to such person as will sue for the same; and be otherwise punishable as the law directs in cases of disorderly houses.

III. Provided always, and it is hereby further enacted by the authority aforesaid, That in order to give publick notice what places are licensed pursuant to this act, there shall be affixed and kept up in some notorious place over the door or entrance of every such house, room, garden, or other place, kept for any of the said purposes, and so licensed as aforesaid, an inscription in large capital letters, in the words following; *videlicet*, LICENSED PURSUANT TO ACT OF PARLIAMENT OF THE TWENTY-FIFTH OF KING GEORGE THE SECOND; and that no such house, room, garden, or other place, kept for any of the said purposes, although licensed as aforesaid, shall be open for any of the said purposes before the hour of five in the afternoon; and that the affixing and keeping up of such inscription as aforesaid, and the said limitation or restriction in point of time, shall be inserted in, and made conditions of, every such licence; and in case of any breach of either of the said conditions, such licence shall be forfeited, and shall be revoked by the justices of peace in their next general or quarter sessions, and shall not be renewed; nor shall any new licence be granted to the same person or persons, or any other person on his or their or any of their behalf, or for their use and benefit, directly or indirectly, for keeping any such house, room, garden, or other place, for any of the purposes aforesaid.

IV. Provided always, That nothing in this act contained shall extend, or be construed to extend, to the theatres royal in *Drury Lane* and *Covent Garden*, or the theatre commonly called *The King's Theatre* in the *Hay Market*, or any of them; nor to such performances and publick entertainments as are or shall be

be lawfully exerciſed and carried on under or by virtue of letters patents, or licence of the crown, or the licence of the lord chamberlain of his Maſteſty's houſhold; any thing herein contained notwithstanding.

V. And in order to encourage proſecutions againſt perſons keeping bawdy houſes, gaming houſes or other diſorderly houſes, be it enacted by the authority aforeſaid, That if any two inhabitants of any pariſh or place, paying ſcot, and bearing lot therein, do give notice in writing to any conſtable (or other peace officer of the like nature, where there is no conſtable) of ſuch pariſh or place, of any perſon keeping a bawdy houſe, gaming houſe, or any other diſorderly houſe, in ſuch pariſh or place, the conſtable or ſuch officer as aforeſaid, ſo receiving ſuch notice, ſhall forthwith go with ſuch inhabitants to one of his Maſteſty's juſtices of the peace of the county, city, riding, diſviſion or liberty in which ſuch pariſh or place does lie; and ſhall, upon ſuch inhabitants making oath before ſuch juſtice, that they do believe the contents of ſuch notice to be true, and entering into a recognizance in the penal ſum of twenty pounds each, to give or produce material evidence againſt ſuch perſon for ſuch offence, enter into a recognizance in the penal ſum of thirty pounds, to proſecute with effect ſuch perſon for ſuch offence at the next general or quarter ſeſſion of the peace, or at the next aſſizes to be holden for the county in which ſuch pariſh or place does lie, as to the ſaid juſtice ſhall ſeem meet; and ſuch conſtable or other officer ſhall be allowed all the reaſonable expences of ſuch proſecution, to be aſcertained by any two juſtices of the peace of the county, city, riding, diſviſion or liberty where the offence ſhall have been committed, and ſhall be paid the ſame by the overſeers of the poor of ſuch pariſh or place; and in caſe ſuch perſon ſhall be convicted of ſuch offence, the overſeers of the poor of ſuch pariſh or place ſhall forthwith pay the ſum of ten pounds to each of ſuch inhabitants; and in caſe ſuch overſeers ſhall neglect or reſuſe to pay to ſuch conſtable or other officer ſuch expences of the proſecution as aforeſaid, or ſhall neglect or reſuſe to pay upon demand, the ſaid ſums of ten pounds and ten pounds, ſuch overſeers, and each of them, ſhall forfeit to the perſon intitled to the ſame, double the ſum ſo reſuſed or neglected to be paid.

Conſtable's duty upon notice of perſons keeping a bawdy houſe, gaming houſe, &c.

The charges of proſecution,

and 10 l. on conviction to each of the two inhabitants, to be paid by the overſeers,

on penalty of forfeiting double.

VI. Provided always, and be it enacted by the authority aforeſaid, That upon ſuch conſtable or other officer entering into ſuch recognizance to proſecute as aforeſaid, the ſaid juſtice of the peace ſhall forthwith make out his warrant to bring the perſon ſo accuſed of keeping a bawdy houſe, gaming houſe or other diſorderly houſe, before him, and ſhall bind him or her over to appear at ſuch general or quarter ſeſſion or aſſizes, there to answer to ſuch bill of indictment as ſhall be found againſt him or her for ſuch offence; and ſuch juſtice ſhall and may, if in his diſcretion he thinks fit, likewise demand and take ſecurity for ſuch perſon's good behaviour in the mean time, and until ſuch indictment.

Perſon keeping ſuch bawdy-houſe, &c. to be bound over.

indictment ſhall be found, heard and determined, or be returned by the grand jury not to be a true bill.

Conſtable neglecting his duty forfeits 20 l.

VII. Provided alſo, That in caſe ſuch conſtable ſhall neglect or reſuſe, upon ſuch notice, to go before any juſtice of the peace, or to enter into ſuch recognizance, or ſhall be wilfully negligent in carrying on the ſaid proſecution, he ſhall for every ſuch offence forfeit the ſum of twenty pounds to each of ſuch inhabitants ſo giving notice as aforeſaid.

Who ſhall be deemed the keeper of ſuch bawdy-houſe, &c.

VIII. *And whereas, by reaſon of the many ſubtle and crafty contrivances of perſons keeping bawdy-houſes, gaming-houſes or other diſorderly houſes, it is difficult to prove who is the real owner or keeper thereof, by which means many notorious offenders have eſcaped puniſhment;* be it enacted by the authority aforeſaid, That any perſon who ſhall at any time hereafter appear, act or behave him or herſelf as maſter or miſtreſs, or as the perſon having the care, government or management of any bawdy-houſe, gaming-houſe or other diſorderly houſe, ſhall be deemed and taken to be the keeper thereof, and ſhall be liable to be proſecuted and puniſhed as ſuch, notwithstanding he or ſhe ſhall not in fact be the real owner or keeper thereof.

Evidence may be given by an inhabitant, &c.

IX. Provided nevertheleſs, That upon any ſuch proſecution againſt any perſon for keeping a bawdy-houſe, gaming-houſe or other diſorderly houſe, any perſon may give evidence againſt the defendant or on behalf of the defendant in ſuch proſecution, notwithstanding his or her being an inhabitant or pariſhioner of the ſaid pariſh or place, or having entered into ſuch recognizance as aforeſaid.

Indictment not removable by Certiorari.

X. And be it further enacted by the authority aforeſaid, That no indictment which ſhall at any time after the ſaid firſt day of June be preferred againſt any perſon for keeping a bawdy-houſe, gaming-houſe or other diſorderly houſe, ſhall be removed by any writ of *Certiorari* into any other court; but ſuch indictment ſhall be heard, tried and finally determined, at the ſame general or quarter ſeſſion or aſſizes, where ſuch indictment ſhall have been preferred (unleſs the court ſhall think proper, upon cauſe ſhewn, to adjourn the ſame) any ſuch writ or allowance thereof notwithstanding.

In proſecutions for felony, court may make orders for payment of the proſecutor's expences;

XI. *And whereas many perſons are deterred from proſecuting perſons guilty of felony, upon account of the expence attending ſuch proſecutions, which is another great cauſe and encouragement of thefts and robberies;* in order therefore to encourage the bringing offenders to juſtice, be it enacted by the authority aforeſaid, That it ſhall and may be in the power of the court, before whom any perſon has been tried and convicted of any grand or petit larceny, or other felony, at the prayer of the proſecutor, and on conſideration of his circumſtances, to order the treaſurer of the county in which the offence ſhall have been committed, to pay unto ſuch proſecutor ſuch ſum of money as to the ſaid court ſhall ſeem reaſonable, not exceeding the expences which it ſhall appear to the court the proſecutor was put unto in carrying on ſuch proſecution, making him a reaſonable allowance for his time

Clerks fee for ſuch order.

time and trouble therein ; which order the clerk of affize, or clerk of the peace refpectively, is hereby directed and required forthwith to make out and to deliver unto fuch profecutor, upon being paid for the fame the fum of one fhilling, and no more ; and the treafurer of the county is hereby authorized and required, upon fight of fuch order, forthwith to pay to fuch profecutor, or other perfon authorized to receive the fame, fuch fum of money as aforefaid, and fhall be allowed the fame in his accounts.

County trea-
furer to pay
the order.

XII. And, for the better difcovering and bringing to juftice thieves, robbers and other perfons maintaining themfelves by pilfering and defrauding mankind ; be it enacted by the authority aforefaid, That it fhall and may be lawful to and for any two or more of his Majefty's juftices of the peace, in any county, city or liberty, in cafe any perfon apprehended upon any general privy fearch, or by virtue of any fpecial warrant, fhall be charged before them with being a rogue and vagabond, or an idle and diforderly perfon, or with fufpicion of felony, (although no direct proof be then made thereof) to examine fuch perfon upon oath, not only as to the parifh or place where he was laft legally fettled, but alfo as to his means of livelihood ; the fubftance of which examination fhall be put into writing, and be fubfcribed or figned by the perfon fo examined ; and the faid juftices fhall likewife fign the fame, and tranfmit it to the next general or quarter feffions of the peace to be holden for the fame county, city or liberty, there to be filed, and to be kept on record ; and if fuch perfon fhall not make it appear to fuch juftices, that he has a lawful way of getting his livelihood, or fhall not procure fome reafonable houfe-keeper to appear to his character, and to give fecurity for his appearance before fuch juftices at fome other day to be fixed for that purpofe (in cafe the fame fhall be required) to commit fuch perfon to fome prifon or houfe of correftion, for any time not exceeding fix days ; and in the mean time to order the overfeers of the poor, or one of them, of the parifh or place in which fuch perfon fhall be apprehended, to infert an advertisement in fome publick paper, defcribing fuch fufpicious perfon, and any thing or things which fhall have been found upon him, or in his cuftody, and which he fhall be fufpected not to have come honeftly by, and mentioning the place to which fuch perfon is committed, and fpecifying the time and place when and where fuch perfon is to be again brought before them to be re-examined ; and if no accusation fhall be then laid againft him, then fuch perfon fhall be difcharged, or otherwife dealt with according to law.

Juftices may
examine on
oath rogues,
vagabonds
and other dif-
orderly per-
fons ;

the examina-
tion to be
tranfmitted to
the feffions.

Perfon not
giving a fatif-
factory ac-
count, &c. to
be committed.

and an adver-
tifement to be
published, def-
cribing his
perfon, and
the things
found on him.

XIII. And be it further enacted by the authority aforefaid, That any perfon intituled to any of the forfeitures by this act impofed, may fue for the fame by action of debt, in any of his Majefty's courts of record at *Westminfter*, in which it fhall be fufficient to declare, That the defendant is indebted to the plaintiff in the fum of

Recovery of
forfeitures.

being forfeited by an act, intituled,
*An act for the better preventing thefts and robberies, and for regulat-
ing*

Costs.

Limitation of actions.

Act to be in force for 3 years.

Made perpetual by 23 Geo. 2. c. 19.

lating places of publick entertainment, and puniſhing perſons keeping diſorderly houſes; and the plaintiff, if he recover in any ſuch action, ſhall have his full coſts.

XIV. Provided, That no action ſhall be brought by virtue of this act, unleſs the ſame ſhall be commenced within the ſpace of ſix calendar months after the offence committed.

XV. And be it further enacted by the authority aforeſaid, That this act ſhall continue in force until the expiration of three years, to be computed from the firſt day of this ſeſſion of parliament; and from thence to the end of the then next ſeſſion of parliament, and no longer.

C A P. XXXVII.

An act for better preventing the horrid crime of murder.

WHEREAS the horrid crime of murder has of late been more frequently perpetrated than formerly, and particularly in and near the metropolis of this kingdom, contrary to the known humanity and natural genius of the Britiſh nation: and whereas it is thereby become neceſſary, that ſome further terror and peculiar mark of infamy be added to the puniſhment of death, now by law inflicted on ſuch as ſhall be guilty of the ſaid heinous offence: may it pleaſe your moſt excellent Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled and by the authority of the ſame, That from and after the firſt day of *Eaſter* term, in the year of our Lord one thouſand ſeven hundred and fifty two, all perſons who ſhall be found guilty of wilful murder, be executed according to law, on the day next-but one after ſentence paſſed, unleſs the ſame ſhall happen to be the Lord's day, commonly called *Sunday*, and in that caſe on the *Monday* following.

Murderers to be executed the next day but one after ſentence.

and their bodies to be delivered to Surgeons Hall.

II. And be it further enacted by the authority aforeſaid, That the body of ſuch murderer ſo convicted ſhall, if ſuch conviction and execution ſhall be in the county of *Middleſex*, or within the city of *London* or the liberties thereof, be immediately conveyed by the ſheriff or ſheriffs, his or their deputy or deputies and his or their officers, to the hall of the *Surgeons Company*, or ſuch other place as the ſaid company ſhall appoint for this purpoſe, and be delivered to ſuch perſon as the ſaid company ſhall depute or appoint, who ſhall give to the ſheriff or ſheriffs, his or their deputy or deputies, a receipt for the ſame; and the body ſo delivered to the ſaid company of *Surgeons*, ſhall be diſſected and anatomized by the ſaid *Surgeons*, or ſuch perſon as they ſhall appoint for that purpoſe: and in caſe ſuch conviction and execution ſhall happen to be in any other county or other place in *Great Britain*, then the judge or juſtice of aſſize, or other proper judge, ſhall award the ſentence to be put in execution the next day but one after ſuch conviction (except as is before excepted) and the body of ſuch murderer ſhall in like manner be delivered by the ſheriff, or his deputy, and his officers, to ſuch ſurgeon

surgeon as such judge or justice shall direct for the purpose aforesaid.

III. And be it further enacted by the authority aforesaid, That sentence shall be pronounced in open court immediately after the conviction of such murderer, and before the court shall proceed to any other business, unless the court shall see reasonable cause for postponing the same; in which sentence shall be expressed not only the usual judgment of death, but also the time appointed hereby for the execution thereof, and the marks of infamy hereby directed for such offenders, in order to impress a just horror in the mind of the offender, and on the minds of such as shall be present, of the heinous crime of murder.

IV. Provided always, and be it enacted, That after such sentence pronounced as aforesaid, in case there shall appear reasonable cause, it shall and may be lawful to and for such judge or justice, before whom such criminal shall have been so tried, to stay the execution of the sentence, at the discretion of such judge or justice, regard being always had to the true intent and purpose of this act.

V. Provided also, That it shall be in the power of any such judge or justice to appoint the body of any such criminal to be hung in chains: but that in no case whatsoever the body of any murderer shall be suffered to be buried; unless after such body shall have been dissected and anatomized as aforesaid; and every such judge or justice shall, and is hereby required to direct the same either to be disposed of as aforesaid, to be anatomized, or to be hung in chains, in the same manner as is now practised for the most atrocious offences.

VI. And be it further enacted by the authority aforesaid, That from and after such conviction, and judgment given thereupon, the gaoler or keeper to whom such criminal shall be delivered for safe custody, shall confine such prisoner to some cell, or other proper and safe place within the prison, separate and apart from the other prisoners; and that no person or persons whatsoever, except the gaoler or keeper, or his servants, shall have access to any such prisoner, without licence being first obtained for that purpose under the hand of such judge or justice, before whom such offender shall have been tried, or under the hand of the sheriff, his deputy or under sheriff.

VII. Provided always, That in case any such judge or justice shall see cause to respite the execution of such offender so condemned as aforesaid, such judge or justice may relax or release any or all of the restraints or regulations herein before or herein after directed to be observed by the gaoler or keeper of the prison where such prisoner shall be confined, by any licence in writing signed by such judge or justice for that purpose, for and during the time of such stay of execution; any thing herein before contained to the contrary thereof notwithstanding.

VIII. And be it further enacted by the authority aforesaid, That after sentence passed as aforesaid, and until the execution thereof,

Sentence to be pronounced immediately.

The judge may stay the execution.

and appoint the body to be hung in chains, or to be anatomized.

Prisoner to be confined to some cell;

and none but the gaoler, &c. to have access without licence from the judge or sheriff.

Judge may relax the said restraints.

Prisoner to be fed with bread thereof,

and water,
except, &c.

thereof, such offender shall be fed with bread and water only, and with no other food or liquor whatsoever (except in case of receiving the sacrament of the Lord's supper, and except in case of any violent sickness or wound, in which case some known physician, surgeon or apothecary may be admitted by the gaoler or keeper of the said prison to administer necessaries; the christian and surname of such physician, surgeon or apothecary, and his place of abode, being first entered in the books of such prison or gaol, there to remain) and in case such gaoler or prison-keeper shall offend against or neglect to put in execution any of the directions or regulations hereby enacted to be observed, such gaoler or prison-keeper shall for such offence forfeit his office, and be fined in the sum of twenty pounds, and suffer imprisonment until the same be paid.

Gaoler making default to forfeit his office, and sol.

Penalty of refusing a murderer.

IX. And be it enacted by the authority aforesaid, That if any person or persons whatsoever shall by force set at liberty, or rescue or attempt to rescue or set at liberty, any person out of prison who shall be committed for, or found guilty of murder, or rescue or attempt to rescue any person convicted of murder going to execution, or during execution, every person so offending shall be deemed, taken and adjudged to be guilty of felony, and shall suffer death without benefit of clergy.

Penalty of refusing the body after execution.

X. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall, after such execution had, by force rescue or attempt to rescue the body of such offender out of the custody of the sheriff or his officers, during the conveyance of such body to any of the places hereby directed, or shall by force rescue or attempt to rescue such body from the company of *Surgeons*, or their officers or servants, or from the house of any surgeon where the same shall have been deposited in pursuance of this act; every person so offending shall be deemed and adjudged to be guilty of felony, and shall be liable to be transported to some of his Majesty's colonies or plantations in *America* for the term of seven years, in like manner as is directed by the laws now in force relating to the transportation of felons; and shall be subject to the like punishment and methods of conviction, in case of returning into, or being found at large within *Great Britain*, within the said term of seven years, in all respects, as by law other felons are subject to, in case of unlawfully returning from transportation.

This act not to extend to 11 Geo. 1. c. 16.

XI. Provided always, and it is hereby enacted by the authority aforesaid, That nothing herein contained shall extend to repeal or alter so much of an act made in the eleventh year of his late Majesty's reign (intituled, *An act for the more effectual disarming the Highlands in that part of Great Britain called Scotland; and for the better securing the peace and quiet of that part of the kingdom*) as relates to the suspension of the execution of persons convicted of capital offences within that part of *Great Britain* called *Scotland*, for the respective times in the said act mentioned; any thing herein before contained to the contrary notwithstanding.

CAP.

CAP. XXXVIII.

An act for the more eaſy and ſpeedy recovery of ſmall debts within the borough of St. Albans, in the county of Hertford, and the ſeveral towns, pariſhes, wards, hamlets, and places within the liberty of St. Albans.

CAP. XXXIX.

An act to obviate doubts that may ariſe upon an act made and paſſed in the eleventh and twelfth years of the reign of his late majeſty King William the Third, intituled, An act to enable his Majeſty's natural born ſubjects to inherit the eſtate of their anceſtors, either lineal or collateral, notwithstanding their father or mother were aliens.

WHEREAS in and by an act of parliament made and paſſed in the eleventh and twelfth years of the reign of his late majeſty King William the Third, intituled, An act to enable his Majeſty's natural-born ſubjects to inherit the eſtate of their anceſtors, either lineal or collateral, notwithstanding their father or mother were aliens; it is enacted, That all and every perſon or perſons, being the King's natural-born ſubject or ſubjects, within any of the King's realms or dominions, ſhould and might thereafter lawfully inherit and be inheritable, as heir or heirs, to any honours, manors, lands, tenements or hereditaments, and make their pedigrees and titles by deſcent from any of their anceſtors, lineal or collateral, although the father and mother, or father or mother, or other anceſtor of ſuch perſon or perſons by, from, through, or under whom he, ſhe or they ſhould or might make or derive their title or pedigree, were or was, or ſhould be born out of the King's allegiance, and out of his Majeſty's realms or dominions, as freely, fully and effectually, to all intents and purpoſes, as if ſuch father or mother, or fathers or mothers, or other anceſtor or anceſtors by, from, through, or under whom he, ſhe or they ſhould or might make or derive their title or pedigree, had been naturalized or natural-born ſubjects: and whereas many doubts and inconveniencies may ariſe upon the ſaid recited act, in caſe of perſons gaining capacities to inherit and derive their pedigrees by virtue of the ſaid recited act, after the deaths of their anceſtors to whom they claim to be heirs, whereby eſtates well veſted by deſcent, mortgages, purchaſes, and ſettlements duly made, may be defeated: for remedy whereof be it enacted and declared by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That the ſaid ſtatute ſhall not extend, or be deemed, taken, or conſtrued to extend to give any right, or title to any perſon or perſons to inherit as heir or heirs, or coheir or coheirs, to any perſon dying ſeiſed of any manors, lands, tenements or hereditaments, in poſſeſſion, reversion or remainder, by enabling any ſuch perſon or perſons to claim or derive his, her or their pedigree through any alien anceſtor or anceſtors, unleſs the perſon or perſons ſo claiming or deriving his, her, or their title as heir or heirs,

None to inherit by the recited act, but ſuch as ſhall be in being at the death of the anceſtor who ſhall die ſeiſed.

heirs, coheir or coheirs, was or were, or shall be in being, and capable to take the same estate as heir or heirs, coheir or coheirs, by virtue of the said statute, at the death of the person who shall so last die seised of such manors, lands, tenements or hereditaments, and to whom he, she or they shall so claim to be heir or heirs, coheir or coheirs, by force of the said statute.

If the descent shall be cast upon a daughter,

and the alien father, &c. shall afterwards have a son, the daughter to be divested,

and where no son, the daughters afterwards born in his Majesty's dominions shall jointly inherit.

II. Provided always, and be it enacted by the authority aforesaid, That in case the person or persons who shall be in being, and capable to take at the death of the ancestor so dying seised of any such honours, manors, lands, tenements or hereditaments, and upon whom the descent shall be cast by virtue of this act, or of the said recited act, shall happen to be a daughter or daughters of an alien, and that the alien father or mother, through whom such descent shall be derived by such daughter or daughters, shall afterwards have a son born within any of his Majesty's realms or dominions; the descent so cast upon such daughter or daughters shall be divested in favour of such son; and such son shall inherit and take the estate in like manner as is allowed by the common law of this realm in cases of the birth of a nearer heir; or in case such father or mother shall have no son or sons, but shall have one or more daughter or daughters afterwards born within any of his Majesty's realms or dominions, the daughter or daughters so born afterwards shall inherit and take in coparcenary with the daughter or daughters upon whom the descent shall be cast at the death of the ancestor last seized; any thing in this act contained to the contrary in any wife notwithstanding.

C A P. XL.

An act for the application of a sum of money therein mentioned, granted to his Majesty, for making compensation and satisfaction to the royal African company of England, for their charter, lands, forts, castles, slaves, military stores, and all other their effects whatsoever; and to vest the lands, forts, castles, slaves and military stores, and all other their effects in the company of merchants trading to Africa; and for other purposes in the act mentioned.

WHEREAS his late majesty King Charles the Second, by his royal charter or letters patent, under the great seal of England, bearing date the twenty seventh day of September in the twenty fourth year of his reign, in consideration of the surrender of a former grant in the said letters patent recited, did give and grant unto certain persons therein named, all and singular the regions, countries, dominions, territories, continents, coasts and places, lying and being within the limits and bounds in the said letters patent mentioned, that is to say, Beginning at the port of Sally in South Barbary, inclusive, and extending from thence to cape de bona Esperanza, inclusive, with all the islands near adjoining to those coasts, and comprehended within the limits aforesaid: which regions, countries, dominions, territories, continents, coasts and places, and islands, had been theretofore

fore called or known by the name of South Barbary, Guinny, Birtany or Angola, or by ſome or any other name or names, and which were or had been reputed, eſteemed or taken to be part, parcel, or member of any country, region, dominion, territory or continent, within the limits aforeſaid; and all and ſingular ports, harbours, creeks, iſlands, lakes and places in the parts of Africa, to them or any of them belonging; or being under the obedience of any King, ſtate or potentate of any region, dominion or country, within the limits aforeſaid, to hold from the making the ſaid letters patent for the term of one thouſand years, ſubject to ſuch conditions and reſervations as therein mentioned; and did in and by the ſaid letters patent, incorporate the ſeveral perſons therein named, by the name of The Royal African Company of England, and did declare ſuch grant and demiſe to be in truſt to and for the ſole uſe, benefit and behoof of the royal African company of England, therein and thereby ſo incorporated, and their ſucceſſors; and whereas the ſaid royal African company of England have, ſince the granting the ſaid charter, been at a very conſiderable expence in re-building and enlarging ſeveral of their forts and caſtles on the coaſts aforeſaid, and have there erected, built and purchaſed, ſeveral new forts: and whereas by an act of parliament made and paſſed in the twenty third year of the reign of his pre-²³ Geo. 2. c. ſent Maſeſty, intituled, An act for extending and improving the³¹ trade to Africa, a new company was eſtabliſhed by the name of The Company of Merchants trading to Africa; and the better to uphold, maintain and defend all ſuch forts, factories and ſettlements, on the coaſt of Africa, as then were erected, or thereafter ſhould be thought neceſſary to be erected, for the ſecuring and better carrying on the ſaid trade; it was enacted, among other things, That all and every the Britiſh forts, ſettlements and factories, on the coaſt of Africa, beginning at cape Blanco, and extending from thence to the cape of Good Hope incluſive, and all other the regions, countries, dominions, territories, continents, coaſts, ports, bays, rivers and places, lying and being within the aforeſaid limits, and the iſlands near adjoining to thoſe coaſts, and comprehended within thoſe limits, which then were claimed by, or were in the poſſeſſion of the ſaid royal African company of England, or which might be thereafter in the poſſeſſion of the company thereby eſtabliſhed, ſhould from and after the paſſing of an act of parliament for diſveſting the ſaid African company of their ſaid charter, forts, caſtles, military ſtores, canoe men, caſtle ſlaves, and all other their property on the coaſt of Africa (their goods and merchandizes only excepted) be abſolutely veſted in the ſaid new company eſtabliſhed by the ſaid act, and their ſucceſſors, to the intent and purpoſe that the ſaid forts, ſettlements and premiſſes ſhould be employed at all times thereafter only for the protection, encouragement and defence of the ſaid trade; and it was by the ſaid act further enacted, That the accountant general of the high court of chancery for the time being, and ſuch two of the other maſters of the ſaid court, as the lord high chancellor of Great Britain for the time being, or lord keeper of the great ſeal of Great Britain for the time being, or the lords commiſſioners for the great ſeal of Great Britain for the time being, ſhould from time to time nominate for that purpoſe, ſhould be, and

24 Geo. 2.
c. 49^a

they were thereby constituted and appointed commissioners for examining into the claims of the creditors of the said royal African company, and to inquire and state how and when the same were respectively incurred, in such manner as in and by the said act is directed, together with their opinion of the justness and reasonableness of such debts respectively, and to lay accounts of their proceedings before the parliament with all convenient speed: and whereas the commissioners appointed by and in pursuance of the said act did lay accounts of their proceedings before the parliament the last session, but several claims of several of the company's officers and servants abroad, for salaries due to them, or for goods sold and delivered, and for monies laid out and expended for the said company's use, for want of proper vouchers from abroad could not be examined into within the time prescribed for that purpose by the said act: and whereas by an act of parliament made and passed in the twenty fourth year of the reign of his present Majesty, intituled, An act for allowing further time to the commissioners appointed by and in pursuance of an act of the twenty third year of his present Majesty's reign, intituled, *An act for extending and improving the trade to Africa*, to inquire into the claims of certain creditors of the royal African company therein mentioned, and for the relief of David Crichton, and for restraining the said company from disposing of such of their effects as are therein mentioned; and for staying all suits for money due from or on account of the said company for the time therein mentioned; it was enacted among other things, That all and every the powers, and authorities in and by the said above recited act of the twenty third year of the reign of his present Majesty granted to and vested in the said commissioners appointed by or in pursuance of the said act for enabling them to examine into the claims, of the creditors of the said company, and stating the same, with their opinion thereon, should, for the purposes of examining into and stating the claims therein particularly mentioned, and no other, be and continue in full force until the twelfth day of January one thousand seven hundred and fifty two, and the said commissioners, or any two of them, were thereby authorized and required, from and after the twenty fourth day of June, one thousand seven hundred and fifty one, to proceed with all convenient speed upon the examination of the several claims of the several persons thereafter named; and the said commissioners were thereby required to close and finish their examination of all the said claims on or before the twelfth day of January then next ensuing, and to lay accounts of their proceedings before the parliament with all convenient speed: and whereas the said commissioners have laid accounts of their proceedings, under the said last recited act, before the parliament: and whereas several other sums of money are due and owing to several other persons from the said royal African company: and whereas captain Thomas Pye, commander of his Majesty's ship Humber, did, in pursuance of directions given him by the commissioners for executing the office of lord high admiral of Great Britain for that purpose in the year one thousand seven hundred and forty nine, take a survey of the forts and castles of the said royal African company of England, on the coast of Africa, and of the quantity, number and quality of cannon and their military stores, ca-

noe men, caſtle ſlaves, canoes and veſſels then at each reſpective fort, which belonged to the ſaid royal African company of England, a particular account of which ſurvey is expreſſed and ſet forth in the firſt ſchedule to this act annexed, and whereas the ſaid royal African company of England are willing to ſurrender all and ſingular their lands, forts, caſtles, ſettlements, cannon, military ſtores, canoe men, caſtle ſlaves, canoes and veſſels, together with the ſaid charter, books of account, papers, contracts and agreements, and all their property, eſtate, intereſt, and effects whatſoever, for ſuch compenſation and ſatisfaction, and to be applied in ſuch mannner as herein after is expreſſed and directed; be it therefore enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That the royal African company of England, from and after the tenth day of April one thouſand ſeven hundred and fifty two, ſhall be, and they are hereby abſolutely diveſted of and from their ſaid charter, lands, forts, caſtles and military ſtores, canoe men, caſtle ſlaves, and all other their eſtate, property and effects whatſoever; and that all and every the Britiſh forts, lands, caſtles, ſettlements and factories on the coaſt of Africa, beginning at Port Sally, and extending from thence to the cape of Good Hope incluſive, which were granted to the ſaid company by the ſaid charter, or which have been ſince erected or purchaſed by the ſaid company; and all other the regions, countries, dominions, territories, continents, coaſts, ports, bays, rivers and places lying and being within the aforeſaid limits, and the iſlands near adjoining to thoſe coaſts, and comprehended within the limits deſcribed by the ſaid charter; and which now are, or at any time heretofore have been in the poſſeſſion of or claimed by the ſaid royal African company of England, together with the cannon and other military ſtores, canoe men, caſtle ſlaves at and belonging to the ſaid forts, caſtles, ſettlements and factories, particularly mentioned and ſet forth in the ſaid firſt ſchedule to this act annexed (ſuch ſtores as have been made uſe of in the ſervice of the forts, and ſuch canoe men and ſlaves, as may have died ſince the taking of the ſaid ſurvey, only excepted) and alſo all contracts and agreements made by or for, or on the behalf of the ſaid royal African company, with any of the kings, princes or natives of any of the countries or places on the ſaid coaſts; and all other the property, eſtate and effects whatſoever of the ſaid royal African company ſhall, from and after the ſaid tenth day of April one thouſand ſeven hundred and fifty two, be veſted in, and the ſame and every of them are and is hereby fully and abſolutely veſted in the ſaid corporation called and known by the name of *The company of merchants trading to Africa*, and their ſucceſſors, freed and abſolutely diſcharged of and from all claims and demands of the ſaid royal African company of England, and their creditors, and every of them, and of all and every perſon or perſons claiming under them, or any or either of them.

The African company divested of their charter, forts, &c.

and the ſame veſted in the company of merchants trading to Africa.

II. Provided always, and it is hereby enacted, That the di-

C c 2

vesting No other powers con-

ferred than
what are
granted by
23 Geo. 2.
c. 31.

veſting the ſaid royal *African* company of *England* of their charter, and veſting the ſaid forts, ſettlements and factories, and all other the before-mentioned premiſſes in the ſaid company of merchants trading to *Africa*, ſhall not extend, or be conſtrued to extend to give the ſaid company of merchants trading to *Africa*, or their committee, any other right, privileges or powers, than ſuch as are given to the ſaid company of merchants, and their committee, by the ſaid recited act made and paſſed in the twenty third year of his preſent Maſteſty.

Bance iſland
veſted in
Alexander
Grant, John
Sargent and
Richard
Oſwald;

III. *And whereas it appears that a certain iſland ſituate in the river Sierra Leon, on the ſaid coaſt of Africa, called Bance Iſland, with a fort and buildings thereon, having been formerly in the poſſeſſion of the ſaid royal African company, was in the year one thouſand ſeven hundred and twenty eight deſerted by the ſaid company and their agents; and the ſaid fort for ſome time paſt has been, and is now in the poſſeſſion of Alexander Grant, John Sargent and Richard Oſwald of London merchants, who have diſburſed a conſiderable ſum in the preſervation and improvement of the ſaid iſland and fort; and for which it is juſt and reaſonable they ſhould receive a recompence; be it therefore enacted, That they the ſaid Alexander Grant, John Sargent and Richard Oſwald ſhall be at liberty, notwithstanding this preſent act, to continue in the quiet poſſeſſion of the ſaid iſland, fort and buildings thereon, and that the ſame ſhall from henceforth continue, and be abſolutely veſted in them the ſaid Alexander Grant, John Sargent and Richard Oſwald, their heirs and aſſigns, to and for their own uſe and benefit; any thing herein, or in any former act or acts of parliament contained to the contrary thereof in any wiſe notwithstanding.*

Proviſo that
they grant
not the ſame
to foreigners.

IV. Provided always, That it ſhall not be lawful for them the ſaid *Alexander Grant, John Sargent and Richard Oſwald*, or any of them, or their heirs or aſſigns, to demife, grant or alienate their right and intereſt therein, to any perſon or perſons whatſoever, being foreigners.

The new com-
pany, with the
conſent of the
commiſſion-
ers for trade,
may raiſe mi-
litary forces,

V. Provided always, and it is hereby further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid company of merchants, and their ſucceſſors, or their committee for the time being, by and with the conſent and approbation of the ſaid commiſſioners for trade and plantations, or the majority of them, to authorize and impower ſuch perſons, as they ſhall think fit, at any of the ſaid forts, caſtles, ſettlements and factories, or elſewhere in *Africa*, to raiſe, arm, train and muſter ſuch military forces, as to them ſhall ſeem requiſite and neceſſary; and to execute and uſe within the ſaid forts, caſtles, factories and ſettlements, ſuch rules and regulations for the defence of the ſaid places, and for the puniſhment of offences committed within the ſame, as from time to time ſhall be given them, by the ſaid company of merchants or their committee, by and with the conſent and approbation of the ſaid commiſſioners for trade and plantations, or the majority of them, ſo as ſuch puniſhment ſhall not extend to the loſs or deprivation of life or limb; and that it ſhall and may be lawful for the perſons autho-

riſed

rized as aforefaid, in any cafes where it fhall be thought proper, to fend over in confinement, the perfon or perfons of any offender or offenders, to be here tried according to the laws of this kingdom.

VI. And for the more effectual encouragement of merchants that fhall trade unto or refide in the places aforefaid; be it enacted by the authority aforefaid, That it fhall and may be lawful, to and for the faid company of merchants trading to *Africa*, or their committee, by and with the confent and approbation of the faid commissioners for trade and plantations, or the majority of them, to erect, conftitute and eftablifh a court or courts of judicature, to be held at fuch place or places, fort or forts, plantations or factories, upon the faid coaft, as the faid company fhall from time to time direct and appoint, for hearing and determining all caufes, the matter or matters whereof fhall arife there, on account of mercantile or maritime bargains, buying, felling or bartering of wares; or bills, bonds, or promifes for payment of money, or mercantile or trading contracts, made, tranfacted or entered into upon the faid coaft, concerning any perfon or perfons refiding within the bounds and limits aforefaid. and erect courts.

VII. Provided nevertheless, and be it enacted by the authority aforefaid, That his Majesty, his heirs and fucceffors, fhall have full power at his will and pleafure, from time to time, by his or their fign manual, to revoke all fuch powers which fhall be given to any perfons, for raifing, arming and training the military forces, and all fuch rules and regulations, as fhall be given or eftablifhed, and to grant all military powers on the faid *African* coaft, and eftablifh fuch rules and regulations as he or they fhall from time to time think fit; and alfo to revoke and repeal all fuch courts of juftice, as fhall be erected; and to erect and eftablifh fuch other courts of juftice there, as he or they fhall from time to time think fit. His Majesty may revoke any of the powers, and eftablifh other regulations, &c.

VIII. And be it further enacted by the authority aforefaid, That all the contracts and agreements which have been made by the faid royal *African* company of *England*, with any of the Kings, princes or natives of any of the countries or places on the faid coaft; and alfo all deeds, writings, evidences or muniments, books of account, and all papers of what kind or nature foever, belonging, or which did belong, to the faid company, fhall, on or before the faid tenth day of *April* one thoufand feven hundred and fifty two, be delivered over by the faid royal *African* company of *England*, or their officers, fervants, agents and all other perfons, who have or fhall have the cuftody of them, or any of them, to the faid company of merchants trading to *Africa*, together with an inventory of the books, contracts, agreements, deeds, writings and evidences above-mentioned, to be by them kept and preferved, for the benefit and protection of the faid trade, forts and fettlements; and the faid company of merchants trading to *Africa* are, from time to time, to produce to the commissioners hereafter mentioned, fuch of the stock Former contracts, &c. to be delivered over to the new company.

Stock ledger and transfer books to be produced to

the commis-
sioners.

ledger, and transfer books, of the said royal *African* company as they shall require.

112,142 l. 3 s.
3 d. to be ap-
plied out of
the supplies,
as a satisfac-
tion to the
old company,

IX. And for making a full compensation and satisfaction to the royal *African* company of *England*, for their said charter, lands, forts, castles, slaves, military stores, books, papers, and all other their effects whatsoever; be it enacted by the authority aforesaid, That out of all or any the aids or supplies granted to his Majesty in this session of parliament, there may and shall be applied and paid the sum of one hundred and twelve thousand one hundred and forty two pounds three shillings and three pence, without account, to such persons and in such proportions, and in such manner, as is herein after particularly directed and appointed.

whereof

1,695 l. 3 s. to
be paid to the
commission-
ers to state
the claims of
the creditors.

X. And it is hereby further enacted by the authority aforesaid, That out of the said sum of one hundred and twelve thousand one hundred and forty two pounds three shillings and three pence, the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, do issue and pay, or cause to be issued and paid, the sum of one thousand six hundred and ninety five pounds and three shillings, to *Richard Edwards* esquire, and *Edmund Sawyer* esquire, two of the masters of the high court of *Chancery*, and *John Waple* esquire, one other of the masters, and also accountant general of the said court; being the commissioners appointed to examine and state the claims of the creditors of the said royal *African* company, by an act of parliament of the twenty third year of the reign of his present Majesty, for their trouble, and in satisfaction of the expences of executing the said commission.

84,652 l. 12 s.
7 d. to the
creditors set
forth in the
second sche-
dule.

XI. And it is hereby further enacted by the authority aforesaid, That out of the said sum of one hundred and twelve thousand one hundred and forty two pounds, three shillings and three pence, the further sum of eighty four thousand six hundred and fifty two pounds, twelve shillings and seven pence, be distributed and paid to the several creditors mentioned and set forth in the second schedule to this act annexed, in the respective sums and proportions in the said schedule mentioned, in full satisfaction of all and every their demands.

23,688 l. 7 s. 8.
5 d. to the
persons nam-
ed in the
third sche-
dule.

XII. And it is hereby further enacted by the authority aforesaid, That out of the said sum of one hundred and twelve thousand one hundred and forty two pounds, three shillings and three pence, the sum of twenty three thousand six hundred and eighty eight pounds, fifteen shillings and five pence, be paid and divided to and amongst the persons named in the third schedule to this act annexed, in the sums and proportions therein mentioned, being such of the proprietors of *African* transferable stock, as were possessed of the same on the thirty first day of *December* in the year of our Lord one thousand seven hundred and forty eight, the same being computed to be at and after the rate of ten pounds *per centum* on the said stock, so possessed by them

them at that time, in full of all their right and title to the same, or any part thereof.

XIII. And be it further enacted by the authority aforesaid, ^{2,105 l. 12 s.} That the sum of two thousand one hundred and five pounds, ^{3 d. to the} twelve shillings and three pence, residue of the said sum of one ^{persons nam-} hundred and twelve thousand one hundred and forty two pounds ^{ed in the} three shillings and three pence, be paid and divided to and a- ^{fourth sche-} mongst the persons named in the fourth schedule to this act an- ^{dule.} nexed, in the sums and proportions therein mentioned, being such of the proprietors of *African* transferrable stock, as have become possessed of the same since the said thirty first day of *De-* *cember* one thousand seven hundred and forty eight, being com- puted to be at and after the rate of five pounds, *per centum* on the stock so possessed by them, in full of all their right and title to the same, or any part thereof.

XIV. And be it further enacted by the authority aforesaid, That from and after the said tenth day of *April* one thousand seven hundred and fifty two, the said royal *African* company of *England* shall cease to be a corporation, and be incapable of doing or exercising any corporate act; and all claims and demands against the said company, or any of their officers, agents, or servants, or other person or persons, for or in respect of any debt due, or pretended to be due from, or contracted for or on the behalf of the said company, are hereby declared to be null and void; and if any action, suit or process is now depending, or shall hereafter be commenced or prosecuted for any such claims or demands as aforesaid, then and in such case, it shall and may be lawful to plead the general issue, and give this act in evidence in bar thereto; and if the plaintiff be nonsuited, or verdict pass against him, or judgment be given on demurrer, the defendant shall have full costs. <sup>The old com-
pany to cease,</sup> <sup>and all claims
on them de-
clared void;</sup> <sup>may plead
the general
issue, &c.</sup>

XV. And be it further enacted by the authority aforesaid, That the said *Richard Edwards* esquire, and *Edmund Sawyer* esquire, two of the masters of the high court of *Chancery*, and *John Waple* esquire, one other of the masters, and also account- ant general of the said court, or such other of the masters of the high court of *Chancery* as may be hereafter appointed in pursu- ance of this act, shall be, and they are hereby, constituted and appointed commissioners for the making out and delivering cer- tificates to all and every the creditors of the said royal *African* company of *England*, and the proprietors of their stock, in the said schedules particularly mentioned, and for other the purposes in this act contained, for the space of two years, to be comput- ed from the first day of *January* one thousand seven hundred and fifty two; and the said commissioners or any two of them, are hereby empowered and required, with all convenient speed, to make out under their hands, or the hands of two of them, and to deliver, or cause to be delivered, to all and every the creditors of the said company mentioned in the second schedule to this act annexed, and to the several proprietors of *African* transferrable stock mentioned in the third and fourth schedules to this act an- nexed, <sup>Commission-
ers appointed
for two years,
for making
out certifi-
cates to the
creditors, &c.</sup>

Certificates
may include
any number
of creditors,
under 1901.

nexed, in respect of the sums in and by this act directed to be paid to them respectively, certificates of what is due or allowed to them respectively as aforesaid, and to take proper receipts for the same, in full satisfaction of all their claims and demands on the said company; in which said certificates, and each and every of them, it shall and may be lawful to and for the said commissioners to include as many of the said creditors and proprietors, whose demands shall be respectively under the sum of one hundred pounds, as they shall think fit; and shall and may make all and every such their respective certificates in the name or names of the attorney or attorneys of the said creditors or proprietors, for their use; provided such letters of attorney shall be executed in the presence of one or more of the said commissioners, or in such manner as they shall direct.

Creditors dy-
ing, or de-
clared bank-
rupt, certi-
cate to be de-
livered to the
executors or
assignees.

XVI. And be it further enacted by the authority aforesaid, That in case any of the said creditors, proprietors or other persons, as aforesaid, are now dead, or hath been duly declared bankrupt, or shall, before the making out and delivering of such certificates as herein before directed, happen to die, or be duly declared bankrupt, then the said commissioners, or any two of them, shall deliver, or cause to be delivered, to the executors or administrators of such creditor, proprietor or other person, as aforesaid, so dead or dying, as aforesaid, or to the assignee or assignees of the estate and effects of such creditor, proprietor or other person, as aforesaid, so declared, or to be declared, bankrupt as aforesaid, the certificate or certificates herein directed to be made out as aforesaid, and to which such creditor, proprietor or other person, as aforesaid, would have been respectively intitled.

Creditors to
deliver up on
oath to the
commission-
ers all securi-
ties.

XVII. And be it further enacted by the authority aforesaid, That all and every the said creditors of the said company, and proprietors of their stock, on receipt of the certificates herein before directed to be made out and delivered to them respectively, shall and do, upon their respective corporal oaths, which the said commissioners, or any two of them, are hereby authorized to administer for that purpose, produce and deliver up to the said commissioners, or any two of them, as aforesaid, all and singular the bonds, bills, notes, receipts or other securities whatsoever, relating to their respective debts, which at the time of the examination of the claims of the said respective creditors by the said commissioners, were produced before them, or which, at the time of receiving the said certificates, shall be in the hands, custody, power or possession of the said creditors respectively, or of any person or persons in trust for them; which said several bonds, bills, notes, receipts or other securities, so to be produced and delivered up as aforesaid, the said commissioners, or any two of them, are hereby impowered and required forthwith to cancel and destroy, and the said commissioners are hereby impowered to stop and retain the certificate or certificates of such creditor or creditors, as shall not deliver up the securities to their satisfaction or as they shall require.

XVIII. And

XVIII. And be it further enacted by the authority aforesaid, That for the purposes aforesaid, all and every the said creditors of the said company, and the said proprietors of *African* transferable stock, or the executors or administrators of such of them as are dead, or may hereafter die, or the assignees of such of them as are or may be duly declared bankrupt, shall attend the said commissioners on such days and times, and at such place within the cities of *London* or *Westminster*, or the suburbs thereof, as the said commissioners, or any two or more of them, shall from time to time appoint; of which notice shall be given in the *London Gazette*.

XIX. And be it further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and impowered on tender to them of the certificates herein before directed to be made out by the said commissioners, or any two of them, to issue and pay, or cause to be issued and paid, to the person or persons named in the said certificates, the several sums in the said certificates respectively contained.

XX. And be it further enacted by the authority aforesaid, That in case of the death of two of the said commissioners, or of any other commissioner to be hereafter appointed, by and in pursuance of this act, such other master or masters of the said court of *Chancery*, as the lord high chancellor of *Great Britain* for the time being, or lord keeper of the great seal of *Great Britain* for the time being, or the lords commissioners for the great seal of *Great Britain* for the time being, shall from time to time nominate for that purpose, shall be, and he or they is and are hereby constituted and appointed a commissioner or commissioners for the purposes in this act contained; and the said commissioners are hereby required to lay accounts of their proceedings before the parliament.

XXI. And it is hereby further enacted by the authority aforesaid, That the said company of merchants trading to *Africa*, and their successors, shall and do, and they are hereby required, with all convenient speed, to sell and dispose of all and every the goods, wares and merchandize of the said royal *African* company of *England*, which now are or hereafter shall come to the hands, custody or possession of the said company of merchants, their agents, officers or servants, (the military stores, slaves, canoes and vessels, in the first schedule to this act annexed, excepted) for the best price that can be got for the same; and that the said company of merchants do every session of parliament, until the whole shall be disposed of, lay before both houses of parliament an account of the disposition of the said goods, wares and merchandize.

XXII. And it is hereby further enacted, That the said commissioners shall and may take for each certificate from the parties obtaining

Creditors to attend the commissioners according to notice in the *London Gazette*.

Treasury to pay the certificates.

On death of commissioners others to be appointed.

Proceedings to be laid before parliament.

The effects of the old company to be sold,

and the amount to be laid before parliament.

Allowances to the commissioners for

obtaining the fame, a fum not exceeding the rate of two pounds *per centum*, upon the money contained therein, where the fum shall not be more than one hundred pounds; and a fum not exceeding one pound *per centum*, where the money contained therein is above one hundred pounds, and not exceeding one thousand pounds; and a fum not exceeding ten fhillings *per centum*, where the money contained therein does exceed one thousand pounds; which refpective fums, and no more, the faid commiffioners fhall and may demand and take, in full recompence for all trouble and expences which they, their clerks, agents or fervants, fhall be at in the execution of the powers thereby given them.

XXIII. *And whereas at a general meeting of the creditors of the faid royal African company, held the fourth day of March which was in the year of our Lord one thousand feven hundred and forty feven, the following creditors, to wit, Robert Myre of London merchant, William Mills of London merchant, and John Leapidge of London Stationer, with others, were chofen and appointed by the faid creditors to folicit a fatisfaction, for the juft debts due and owing to all the creditors of the faid company: and whereas it is juft and reafonable that all the faid creditors fhould contribute to the charges and expences of fuch folicitation, and alfo to a proportionable part of the charges and expences of obtaining and paffing the faid act of the laft feffion of parliament, and this prefent act; be it further enacted by the authority aforefaid, That each and every creditor of the faid company, whose name is expreffed in the fecond fchedule to this act annexed, fhall pay to the faid Robert Myre, William Mills, and John Leapidge, or one of them, a contribution at and after the rate of two pounds *per centum*, for or upon the fum in the faid fchedule expreffed, to be allowed to him or her refpectively, to be by them the faid Robert Myre, William Mills, and John Leapidge, applied in payment of all fuch charges and expences, as they on behalf of themfelves, and the reft of the faid creditors, have been or fhall be at in foliciting and obtaining the fatisfaction aforefaid, and in re-payment of all fuch contributions as have been heretofore paid by the faid creditors, or any of them, to them the faid Robert Myre, William Mills, and John Leapidge, or any of them, and alfo in payment of a proportionable part of the charges and expences of obtaining the faid act of parliament paffed the laft feffion, and of the charges and expences of paffing this prefent act, in fuch manner as fhall be adjudged and directed by the faid commiffioners, or any two of them, in writing under their refpective hands; and no one of the faid creditors fhall have, or be intitled to have, a certificate of or for his or her faid debt or claim from the faid commiffioners, or any of them, by virtue of this act, until he or she fhall produce to fuch commiffioners, a note in writing under the hands of the faid Robert Myre, William Mills, and John Leapidge, or one of them, expreffing the receipt of the faid contribution; and the faid Robert Myre, William Mills, and John Leapidge, fhall on or before the tenth day of May which fhall be in the year*

Creditors to
pay 2 l. per
cent. to Ro-
bert Myre,
William Mills,
and John
Leapidge, for
foliciting
their debts.

year of our Lord one thousand seven hundred and fifty four, or within three calendar months next after all the contributions aforesaid shall have been paid in as aforesaid (if the same shall be sooner paid) lay and submit an account thereof, and of their payments and disbursements, in writing under their hands, before the said commissioners for their examination and allowance; and shall dispose of the ballance then remaining in their hands (if any) in such manner as the said creditors at a general meeting to be summoned for that purpose, by advertisement in the *London Gazette*, or the major part in value of the creditors present at such meeting, shall resolve, agree or direct.

XXIV. *And whereas there is a considerable sum of money due to William Newland, the Solicitor of the royal African company, for his fees, labour and disbursements in divers solicitations, for and on account of the said company, in their general business since the one and thirtieth day of December one thousand seven hundred and forty nine: and whereas it is just and reasonable, that all the proprietors of the transferrable stock of the said company, should contribute to a proportionable part of the charges and expences of obtaining and passing the said act of the last session of parliament, and also of this present act;*

be it therefore enacted by the authority aforesaid, That each and every proprietor of the said company, whose names are expressed in the third and fourth schedules to this act annexed, shall pay to John Vaughan esquire, Solomon Ashley esquire, Bibye Lake, esquire, captain Thomas Collett, and Samuel Exell gentleman, or one of them, a contribution at and after the rate of two pounds *per centum*, for and upon the respective sums in the said respective schedules expressed, to be payable to the persons therein mentioned, to be by them the said John Vaughan esquire, Solomon Ashley esquire, Bibye Lake esquire, captain Thomas Collett and Samuel Exell gentleman, applied in payment of such sums of money as are now due to the said William Newland, on the account before mentioned; and in payment of a proportionable part of the charges and expences of obtaining the said act of parliament passed the last session, and of the charges and expences of passing this act, in such manner as shall be adjudged and directed by the said commissioners, or any two of them, in writing under their respective hands; and no one of the said proprietors shall have or be intitled to have a certificate, of or for his or her said share and proportion from the said commissioners, or any of them, by virtue of this act, until he or she shall produce to such commissioners a note in writing under the hands of the said John Vaughan esquire, Solomon Ashley esquire, Bibye Lake esquire, captain Thomas Collett and Samuel Exell gentleman, or one of them, expressing the receipt of the said contribution; and the said John Vaughan esquire, Solomon Ashley esquire, Bibye Lake esquire, captain Thomas Collett and Samuel Exell gentleman, shall, on or before the tenth day of May one thousand seven hundred and fifty four, or within three calendar months next after all the contributions aforesaid shall have been paid in as aforesaid, (if the same shall be sooner paid) lay an account thereof, and of

Proprietors of transferrable stock to pay 2l. per cent. to be applied in payment of the company's solicitor, &c.

After the contributions are paid in, an account there.

of, and of the
disburse-
ments, to be
laid before the
commiffion-
ers.

their payments and difburfements, in writing under their hands, before the faid commiffioners, for their examination and allowance; and fhall difpofe of the balance then remaining in their hands (if any) in fuch manner as the faid proprietors at a general meeting to be fummoned for that purpofe, by advertifement in the *London Gazette*, or the major part of them in value, prefent at fuch meeting fhall direct and appoint.

General iffue.

XXV. And it is hereby further enacted by the authority aforefaid, That if any action or actions fhall be commenced or brought againft any perfon or perfons, for what he or they fhall do or caufe to be done in purfuance of this act, then, and in every fuch cafe, fuch perfon or perfons fhall and may plead the general iffue, and give this act and the fpecial matter in evidence; any law or ufage to the contrary thereof, in any wife notwithstanding.

Publick act.

XXVI. And be it further enacted by the authority aforefaid, That this act fhall be taken and deemed to be a publick act, and fhall be judicially taken notice of as fuch, by all judges, juftices, and other perfons whatfoever, without fpecially pleading the fame.

The First SCHEDULE referred to in this Act.

An Account of the Castle Slaves, Canoe Men, Military Stores, Canoes and Vessels belonging to the Royal African company of England, at their several Ports on the Coast of Africa, according to the Surveys made by the Order of Thomas Pye, Esquire, Commander of his Majesty's Ship *Humber*, in the Year 1749.

Cape Coast Castle.

[illegible]

Names of Ports.		Cattle Slaves.		N ^o Guns.		Pound.		Where mounted.		Shot.		N ^o		Powder.		Muskets		N ^o		Military Stores.		N ^o		Vessels.		N ^o	
		Bomb Boy—		7		3		S. W. Battalion.		From 9 Pounders to 2 Pound.		800		390lb.		Muskets Bayonets—Car-touch Boxes Buck-aneer Guns Dances Guns		6		Granado Shells Former's Copper Ladles Swords—Fathom 2 1/2 in Rope Lead Ball—Gun Flints—Iron Batts—		42 6 2 6 30 538lb. 347 3		13 hand Canoe } 7 hand Do } 5 hand Do } 3 hand Do		1 1 1 1	
		Sawyers—		10		2		S. E. Battalion.										10									
		Women—		6		3												9									
		Children—		5		4												9									
				3		9												30									
		Men—		3		1		N. Battalion.		From 2 pounders to 6 pound.		360		none.		Muskets		6		Powder horns—Priming wires—Brass Ladles—Worms—		2 13 2 7		11 hand Canoe } 3 hand Do		1 1 1	
		Women—		2		3		W. Battalion.										6		Country Match Coehorn—Bayonets—Swords—		Fathom 40 1 6 6					
		Children—		3		3		S. Battalion.																			
				1		2		E. Battalion.																			
				1		3		N. E. Curtain.																			
				1		4																					
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James Island, Gambia.

8 N. B. *The Gun Carriages in good Repair, the Trucks mof of them Iron, but in want of all Military Store, excepte what is mentioned under that Article.*

The Second SCHEDULE referred to in this ACT.

	l.	s.	d.
To George Arnold efquire, and company, the			
sum of 1321 l. 15 s. and alfo the sum of	1821	15	0 &c.
500 l. making together the sum of —			

The Third SCHEDULE referred to in this ACT.

	Stock.	The sum of
	l.	s.
To John Afh of Alderbroke, for	6	17
	6	0
		13
		9 &c.

The Fourth SCHEDULE referred to in this ACT.

	Stock.	The sum of
	l.	s.
To Solomon Afhley efquire, James		
Street, Weftminfter, for —	350	0
	0	17
		10
		0 &c.

CAP. XLI.

An aét for annexing certain forfeited eftates in Scotland to the crown unalienably; and for making fatisfaction to the lawful creditors thereupon; and to eftablifh a method of managing the fame; and applying the rents and profits thereof for the better civilizing and improving the high-lands of Scotland, and preventing diforders there for the future.

WHEREAS by an aét made in the twentieth year of his Majesty's reign, (intituled, An aét for vefting in his Majesty the ^{20 Geo. 2.} ^{c. 41.} eftates of certain traitors; and for the more effectually discovering the fame; and applying the produce thereof to the ufe of his Majesty; and for afcertaining and fatisfying the lawful debts and claims thereupon) it is (among other things) enacted, That in cafe his Majesty, his heirs and fucceffors, fhall not make effectual provision for the payment and fatisfaction of all fuch debts and claims upon the eftates real and personal, by the faid aét vefted in his Majesty, as fhall be decreed to be juft and lawful, in the manner by the faid aét directed, within the fpace of twelve months after the fame fhall be refpectively adjudged, then it fhall be lawful for the barons of the court of exchequer in Scotland, or any three of them, and they are hereby required to fell, or caufe to be fold, fo much of the eftates of the attainted perfons, as they fhall judge neceffary to be fold for fatisfaction of the debts and claims affecting the fame, and apply the money arifing by the fale thereof refpectively, in difcharge of the feveral debts or claims to which they fhall be adjudged. to be liable: provided nevertheless, That if his Majesty, his heirs or fucceffors, fhall, after the expiration of the faid time, make effectual provision for the payment or fatisfaction of all the debts or claims upon any fuch eftate, and fhall, before the fame is fold, by warrant or warrants under his or their fign manual, at any time or times, direct any fuch

20 Geo. 2.
c. 50.20 Geo. 2.
c. 51.

Certain forfeited estates annexed to the crown unalienably.

estates not to be sold, then the said barons shall not proceed in the sale of any estates so prohibited to be sold: and whereas by another act of the twentieth year of the King, (intituled, An act for taking away the tenure of wardholding in Scotland, and for converting the same into blanch and feu-holdings; and for regulating the casualty of non-entry in certain cases; and for taking away the casualties of single and life-rent escheats incurred there, by horning and denunciation for civil causes; and for giving to heirs and successors there, a summary process against superiors; and for discharging the attendance of vassals at head courts there; and for ascertaining the services of tenants there; and for allowing heirs of tailzie there, to sell lands to the crown for erecting buildings, and making settlements in the highlands) upon a recital that it hath been, and may be found necessary for the publick service, to erect buildings, and make settlements in certain places in the highlands of Scotland; it is enacted, That it shall and may be lawful for any person who is seized in, or possessed of, a tailzied estate in Scotland, to sell, dispoise or resign, ad perpetuam remanentiam, any part thereof, which his Majesty, his heirs and successors, shall think fit to purchase, for erecting of buildings, or making settlements within the same, and by one other act of the same year of the King, (intituled, An act to enlarge the time limited by an act of the last session of parliament, for restraining the use of the highland dress, and to enable heirs of tailzie, guardians, tutors, curators, and trustees in Scotland, to sell lands to the crown) upon a recital that it may be necessary for the preservation of the publick peace, and the further civilizing of the inhabitants of the highlands of Scotland, that lands should be purchased there by his Majesty, his heirs and successors, which lands may be subject to strict tailzie, or belong to infants, pupils, minors, ideots, lunaticks, fatuous or furious persons; it is enacted, That it shall and may be lawful for any person who is seized in, or possessed of, a tailzied estate in Scotland, or for any guardian, tutor, curator or trustee of an infant, pupil, minor, ideot, lunatick, fatuous or furious person, to sell, dispoise or resign, ad perpetuam remanentiam, the whole or any part of such tailzied estate, or the estate of such infant, pupil, minor, ideot, lunatick, fatuous or furious person, which his Majesty, his heirs or successors, may think fit to purchase for the purposes aforesaid; which lands so purchased shall remain in his Majesty, his heirs and successors, unalienable for ever, except as to the power of granting leases for seven years, with a diminution of a fifth part of the usual rent only: and whereas to prosecute more effectually the good purposes intended by the said in part recited acts, in or der to strengthen the foundations of the future tranquillity of this kingdom, it is necessary that some farther provisions and regulations be made; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all and every the lands, lordships, baronies, patronages, tithes, fishings, and other like heritages, which became forfeited to his Majesty by the attainder of the several persons after named of high treason,

for

for their being engaged in the late unnatural and wicked rebellion and which were veſted in his Maſteſty by the above-mentioned act of the twentieth year of his reign: that is to ſay, the lands and other premiſſes which became forfeited by the attainer of *Simon* late lord *Lovat*; *John Drummond*, taking upon himſelf the ſtile or title of lord *John Drummond*, brother to *James Drummond*, taking on himſelf the title of duke of *Perth*; *George* late earl of *Cromarty*; and *Archibald Mac Donald*, ſon of *Col Mac Donald* of *Barrisdale*; as the ſame lands, lordſhips, baronies, and other premiſſes, are more particularly enumerated and deſcribed in the title-deeds, rights and infeoffments of the ſaid attainted perſons, or their predeceſſors, or in the ſurveys already taken, or hereafter to be taken thereof, by the Barons of *exchequer* in *Scotland*, in purſuance of the powers given to them by the aforeſaid act of the twentieth year of the King, by which the ſaid forfeited eſtates were veſted in his Maſteſty, ſhall, together with all the parts and pertinent of the ſame, from and after the twenty fifth day of *December* one thouſand ſeven hundred and fifty two, be, and be deemed to be, annexed to the imperial crown of this realm, and ſhall be and remain for ever unalienable from the ſame; and all grants, charters or other rights, made or to be made, or granted, of all or any of the ſaid lands, baronies and other premiſſes, by his Maſteſty, his heirs or ſucceſſors, excepting as is herein after excepted, ſhall be void to all intents and purpoſes.

II. Provided always, and be it enacted by the authority a-
foreſaid, That nothing in this act contained ſhall extend, or be conſtrued to extend, to take away any right, title or benefit whatſoever, which any perſon or perſons are, ſhall or may be intitled to, in virtue of any claim or claims that have been, or ſhall be duly entered in the court of ſeſſion in *Scotland*, purſuant to the aforeſaid act, or in virtue of any decree or decrees that hath been or ſhall be made upon ſuch claims.

III. And to the end that payment may be made to the juſt and lawful creditors on the forfeited eſtates hereby annexed to the crown, ſo far as the value of ſuch lands and premiſſes, whereupon ſuch claim ſhall have been ſuſtained, ſhall reſpectively extend, and no further; be it enacted by the authority aforeſaid, That actions may be brought before the court of ſeſſion, in the name of his Maſteſty's advocate, againſt ſuch creditors, which ſhall and may be ſerved againſt the defendants, under the general deſcription of the claimants upon ſuch eſtates, by one edictal citation, upon thirty days notice, to be affixed on the walls of the inner and outer houſe of the court of ſeſſion where the rolls of cauſes in that court are uſually affixed, in order to have the value of ſuch forfeited eſtates aſcertained, upon a proof brought before the ſaid court of the rental and value thereof; and in every ſuch action it ſhall and may be lawful for the creditors on the ſaid eſtates to bring a joint proof, and the ſaid lords of ſeſſion are hereby authorized and required to proceed in valuing the ſaid eſtates ſummarily, in ſetting which va-

valuation regard shall be had to the ordinary rates, at which like lands and estates have been sold in the same county; and the said lords of session shall thereafter, without loss of time, certify to the barons of exchequer in *Scotland*, the amount of the several claims on such forfeited estates, with the value of the lands and real estate, upon which respectively the claimants are just and lawful creditors; and in such cases where the claims that have been sustained exceed the value of the lands and other premisses out of which they ought to be paid, that the said lords of session shall at the same time certify the order of preference by which the said claims ought to be paid, to the extent of the value that shall be certified as aforesaid; and the said barons of exchequer are hereby authorized and required to transmit such certificate or certificates to the high treasurer, or commissioners of the treasury for the time being; and upon such certificate or certificates being made and transmitted, the creditors respectively shall be paid out of the then next aids to be granted in parliament, according to the order of preference specified in such certificate; so that the sum to be paid to the creditors upon each of the said estates shall not exceed the value of such estates certified as aforesaid.

Expences of
the agents for
the crown to
be paid.

IV. Provided always, That out of the value to be certified as aforesaid, it shall and may be lawful in the first place to deduct or retain the expence that shall have been laid out by the agents for the crown, in raising and prosecuting the actions of valuation and ranking, and adjusting the schemes of division of the value among the creditors, as the same shall have been taxed and settled by the said court of session.

Decrees con-
cerning such
valuation to
be final.

V. And be it further enacted by the authority aforesaid, That every such decree of the court of session concerning the valuation of such estates, or the ranking or order of preference of the creditors thereon, shall be final and binding upon all persons concerned, in case thirty days, on any of which such proceedings as are usual and competent by the laws of *Scotland*, for reversing or amending such decrees may be had, shall elapse without such proceedings being had, made or commenced by either party.

Where the
claims do not
exceed 20
years purchase
the same to
be certified,

VI. *And whereas in such cases, wherein the claims upon the lands, and other the premisses hereby annexed, shall clearly fall short of the value of such lands and premisses upon which respectively they shall have been entered and sustained, it will not be necessary to raise and prosecute actions of valuation and ranking in the manner before prescribed;* be it therefore enacted by the authority aforesaid, That in every case where the total claims upon any estate or estates shall not exceed twenty years purchase, of the clear surveyed rental, returned into the court of exchequer, of such estate or estates, the said lords of session are hereby authorized and required to certify to the barons of exchequer the amount of the claims sustained upon such estate or estates, which do not exceed the value as aforesaid; and the said barons of exchequer are hereby authorized and required to transmit such certificate

or

or certificates, and also the clear annual value of such estate, appearing by such surveyed rental as aforesaid, to the high treasurer, or commissioners of the treasury for the time being; and upon such certificate or certificates being transmitted, the creditors respectively, whose claims shall have been sustained, shall be paid out of the then next aids to be granted in parliament.

VII. *And whereas certain other lands and estates became vested in his Majesty by virtue of the before mentioned act of the twentieth year of his reign, and the attainder of high treason of the persons following, namely, Donald Cameron of Lochiel, Charles Stuart of Ardsheil, Donald Mac Donald of Kenloch Moydart, Evan Mac Pheron of Clunie, Francis Buchannan of Arnprior, Donald Mac Donald of Lochgary, Allan Cameron of Callart, Francis Farquharson of Monaltry, and Alexander Mac Donald of Keppoch; which lands and estates were holden of subject superiors, who have entered claims in the court of session to the property thereof. And whereas it would be highly conducive to the good purposes intended by this act, that the said lands and estates should remain with his Majesty, his heirs and successors:* be it therefore enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, by proper persons to be appointed for that purpose, under his or their sign manual, to transact or compound with such subject superiors, or any of them, concerning their claims to the property of the said forfeited estates held of them respectively, and also to treat and agree with the said subject superiors for the purchase of the superiority of the said lands and estates, and that the agreed prices of such superiorities, and also the sums to be paid by way of composition for such claims of property, shall be from time to time certified by the persons authorized to treat for the same on the part of the crown, to the high treasurer, or commissioners of the treasury, for the time being.

Power to purchase the superiority of all other estates holden of subject superiors.

VIII. Provided always, That in every case where such superiority was subject to a strict tailzie, the monies to be paid as the price thereof shall be laid out and settled in the manner directed by the before mentioned act of the twentieth year of the King for enabling heirs of tailzie, and others in Scotland, to sell lands to the crown.

Where the superiority was subject to a strict tailzie, the purchase-money to be laid out.

IX. And be it further enacted by the authority aforesaid That in case the property of any of the said lands or estates so claimed by such subject superiors as aforesaid, shall be finally determined to be forfeited to his Majesty, or such subject superior shall be agreed or compounded with for such claim in manner herein before mentioned; then and in either of the said cases, until such superiorities shall be purchased as aforesaid, it shall and may be lawful to his Majesty, his heirs and successors, to vest, in such manner as shall be agreeable to the laws of Scotland, the said lands and estates held of subject superiors, or such parts of the lands and other the premises, herein before annexed to the crown, as shall appear to have been formerly held of subject superiors, in one or more trustee or trustees, their heirs and

Lands held of subjects to be vested in trustees.

and to be applied as this act directs.

successors, to be renewed from time to time by his Majesty, his heirs and successors, and which trustee and trustees, their heirs and successors, shall, according to the forms of the law of Scotland, be from time to time entered and received vassals in the lands, and other the premises by the respective superiors thereof, and shall hold the same in trust for the uses and purposes of this act; and the said lands and estates, with all the rents, issues and profits thereof, shall be disposed of, and applied to the uses and purposes in this act mentioned, and to none other, and shall be under the same management, and subject to the same rules, orders and directions, and the same provisions for payment of the lawful debts thereon shall take place, that are by this act made concerning the other lands and estates hereby annexed to the imperial crown of this realm.

Heirs of such trustees not to incur the passive titles, &c.

X. Provided always, That the heirs of such trustee or trustees by making up titles to such trust estates, shall not incur the passive titles, nor represent their predecessors universally; any law or custom to the contrary notwithstanding.

Trustees may be changed.

XI. Provided also, That his Majesty, his heirs and successors, may change such trustees, at his or their pleasure, and present new ones from time to time, who shall be received by the immediate superiors respectively for the time being, without payment of a year's rent, or any other composition.

Such superiorities as shall be forfeited,

XII. And be it further enacted by the authority aforesaid, That whensoever the property of any of the lands or estates so claimed by any subject superior, shall have been finally determined to be forfeited to his Majesty, or such subject superior shall have been agreed or compounded with for the same as aforesaid; and also the superiority of such lands shall have been purchased by his Majesty, his heirs or successors, then the lands and estates, whereof the superiorities are so purchased, shall both property and superiority be from that time annexed to the imperial crown of this realm, and shall remain for ever unalienable from the same.

or purchased to be annexed unalienably to the crown.

XIII. *And whereas the barony of Strowan, and other the lands, tenements and hereditaments which formerly belonged to Alexander Robertson of Strowan, now deceased, became forfeited to the crown, by decree or sentence of forfeiture past in the parliament of Scotland, in the year one thousand six hundred and ninety, and now belong to and remain the property of his Majesty:* be it further enacted by the authority aforesaid, That the said barony and lands be and are hereby annexed to the imperial crown of this realm, and shall be and remain for ever unalienable from the same, and the lawful debts thereon shall be paid in the same manner as is provided concerning the lands and premises before mentioned.

The barony of Strowan annexed to the crown. Debts thereon to be paid.

The rents of the said estates how to be applied.

XIV. And be it further enacted by the authority aforesaid, That the clear rents and produce of the lands and estates hereby annexed to the crown, or directed to be held in trust as aforesaid, shall be applicable in the manner herein after mentioned, or in such other manner as his Majesty, his heirs or successors shall from time to time, by warrants under his or their sign manual,

manual, be pleased to direct, to the purposes of civilizing the inhabitants upon the said estates, and other parts of the high-lands and islands of *Scotland*, the promoting amongst them the protestant religion, good government, industry and manufactures, and the principles of duty and loyalty to his Majesty, his heirs and successors, and to no other use or purpose whatsoever.

XV. And to the end that the said lands and estates may be managed, and the produce thereof applied in the most beneficial manner for the ends and purposes aforesaid; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, his heirs and successors, by commission under the privy seal of *Scotland*, to authorize and empower such person or persons as his Majesty, his heirs and successors shall think fit, from time to time, to be commissioners and trustees for managing the said estates, and applying the produce thereof for the ends and purposes appointed by this act.

Commissioners to be appointed by the crown,

XVI. Provided always, and be it enacted by the authority aforesaid, That no commissioner to be appointed for executing the trusts in this act as aforesaid, shall receive any fee, salary, pension or reward for the same.

without salary.

XVII. And be it further enacted by the authority aforesaid, That the commissioners to be appointed as aforesaid, shall have power to grant leases of the said estates, or any part thereof, for any term not exceeding twenty one years; or if the lessee shall enter into proper covenants to lay out upon the premises any sum not less than five years rent, in buildings or other improvements, within the space of seven years from the date of such lease, then, and in such case, and upon such condition, for any term not exceeding forty one years; all which leases shall be subject to the provisions, conditions and limitations herein after mentioned, and such other as his Majesty, his heirs and successors shall, from time to time, by his or their sign manual, direct and appoint.

Commissioners may grant leases.

XVIII. Provided always, That upon every such lease there shall be reserved not less than three fourths of the real annual value of the premises so let; and that every lease to be granted by such commissioners, shall contain a clause for making the same void, in case the lessee, or his or her heirs shall assign or let the premises, or any part thereof, to any other person, or shall suffer the same to be adjudged at the suit of any creditor, or shall not occupy, cultivate and be resident upon the premises, or shall pay or cause to be paid, directly or indirectly, to or for the use of any person or persons whatsoever, any gratuity or fine, or any annual rent or prestation, for or in consideration of his obtaining or holding the lands or other premises comprehended in such lease, other than the rent in such lease expressed and covenanted to be paid to the said commissioners for the purposes in this act directed.

Condition of the leases.

XIX. Provided also, That every such lease shall be absolutely void, unless the lessee shall, before the making thereof, have taken the oaths requisite by law to qualify persons to execute

Leases void, unless the lessee take the oaths.

None to hold
lands above
the rent of
20 l.

Commission-
ers may sue
for the rent,
and breach of
covenant.

Commission-
ers with ap-
probation of
the treasury
may appoint
receivers.

Factors to be
appointed.

Penalty on
factors taking
any gratuity.

Commission-
ers with ap-
probation of
the treasury,
may appoint

offices of publick trust in *Scotland*, at the quarter-sessions of the county where the premisses lie, or before the sheriff depute, or his substitute; and that no person shall be capable of taking or enjoying, directly or indirectly, any lands or tenements, other than mines or fishings, by virtue of such lease or leases, of greater annual rent than twenty pounds at the utmost.

XX. And be it further enacted by the authority aforesaid, That the said commissioners shall and may have power and authority to bring actions in their own names, either in the court of session or sheriffs court, not only for payment of the rents into the hands of the factors appointed for levying the same, but also for breach and non-performance of the several covenants contained in the leases, under which the lands shall be possessed.

XXI. And be it further enacted by the authority aforesaid, That the said commissioners shall and may have power, by and with the approbation of the high treasurer, or commissioners of the treasury for the time being, to appoint stewards, receivers or factors on the said estates, with an allowance not exceeding five pounds *per centum* of the rental, who shall be bound respectively, with one or more sufficient surety or sureties, in a sum not less than two years rent of the estate to be put under their collection, to account to the said commissioners for the full rents of such estates, and to pay in the clear residue thereof to his Majesty's receiver general of the crown rents and casualties in *Scotland*, after deduction and allowance of the publick burthens and necessary charges of management; and upon their so accounting and paying in the residue of the rent as aforesaid, the said commissioners are hereby impowered to grant acquittances or discharges to such factors from time to time.

XXII. Provided always, That the said commissioners shall have power to appoint persons to officiate as factors in the interim, until the factories granted by them shall be approved or disapproved of by the high treasurer or commissioners of the treasury as aforesaid.

XXIII. And be it further enacted by the authority aforesaid, That if any steward, receiver or factor on the said estates, shall, during the continuance of his office, by himself or by any other person whatever on his account, directly or indirectly take, accept or receive from any of the tenants or possessors of such estates, any money, gift, present, service or other gratuity whatsoever, to the use of such factor, he shall incur the penalty of fifty pounds sterling, *toties quoties*, one moiety thereof to the use of his Majesty, and the other to any person who shall sue for the same, to be recovered by summary petition or complaint, upon fifteen days notice before the court of session, or before the sheriff's court of the county.

XXIV. And be it further enacted by the authority aforesaid, That the said commissioners shall be, and are hereby impowered, by and with the approbation of the high treasurer, or of the commissioners of the treasury for the time being, to ap-
point

point clerks and other necessary officers, with proper and reasonable salaries: and that the said commissioners shall cause such lands to be surveyed, and proper plans to be made thereof, setting forth the extent and different qualities of the grounds, the several advantages and disadvantages arising from their situation, and what improvements may be made upon the same; which, with all other their proceedings, shall be entered in books to be by them kept for that purpose, and a faithful abstract thereof shall by them be reported annually, or oftner if required, to the high treasurer, or the commissioners of the treasury for the time being, who shall cause copies of such reports to be laid before both houses of parliament in every session.

clerks, &c.
and cause survey to be made.

XXV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, where any one or more of the estates aforesaid comprehend whole parishes, belonging in property to the crown, which they shall judge to be of too large an extent to be under the charge of one minister, to divide such parishes into two or more, by warrant or grant to be passed under the privy seal of Scotland, which shall prescribe the bounds of the new erected parishes, and grant competent provisions to the ministers of such parishes, to be paid out of the present maintenance for the minister of the old parish, and the remainder out of the rents of the said estates, but so as the stipend to be settled on one minister shall not exceed fifty pounds sterling *per annum*, in money or value; and upon production of such grant before the commissioners for plantation of kirks and valuation of tythes, they are hereby required and impowered to interpose their authority thereto, in such manner as to render the provision thereby made effectual to the ministers serving the cure in such new erected parishes.

Where estates comprehend whole parishes, the crown may divide the same into more parishes;

with a stipend to the minister.

XXVI. Provided always, That the patronage of such new erected parishes, whereof the stipend shall be wholly, or the greater part thereof paid out of the rents of the said estates, shall belong to and for ever remain united to the crown; saving and reserving to all persons their rights and titles to the tythes of such old parishes, and to the patronage of the disjoined or new parishes to the minister whereof the old stipend shall be allocated, as the whole or greater part of his provision; and also saving and reserving to the incumbent for the time being, when such division or new erection shall be made during his incumbency, the stipend or maintenance he shall then be possessed of, although the same should exceed fifty pounds sterling in money or value.

Patronage of such new parishes to belong to the crown, &c.

Reservation of tythes, &c.

XXVII. And whereas it may happen that other persons may have interest or property in some of the parishes which his Majesty, his heirs or successors, may judge proper to be divided; be it enacted by the authority aforesaid, That all such new divisions or erections of parishes, in which other persons besides his Majesty shall have an interest, either as heretors, patrons or titulars of the tythes in the parish or parishes to be disjoined, or in the new parish to be

The new erections of such parishes, in which other persons have be

an interest, to
be settled.

be erected, shall be made by authority of the court of commission for plantation of kirks and valuation of tythes in *Scotland*, upon an action to be raised and pursued in the name and at the instance of his Majesty's advocate for *Scotland*, and which he is hereby enabled to raise and carry on, whether any of the other heretors who have an interest in the said disjunction and new erection shall consent or not, and which court of commission shall have power, and is hereby required to settle and determine, according to the rules of law and justice, all such questions, debates and controversies as may arise touching the said new erections; and every such decree of the said court of commission shall be final and binding upon all parties concerned, in case thirty days, on any of which such proceedings as are usual and competent by the laws of *Scotland* for reversing or amending such decrees may be had, shall elapse, without such proceedings being had, made or commenced by any of the parties therein concerned.

Crown may
erect schools;

XXVIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, his heirs and successors, to erect publick schools on the said estates, or in other parts of the highlands or islands of *Scotland*, for instructing young persons in reading and writing the *English* language, and in the several branches of agriculture and manufactures, and to erect houses for the reception of such young persons, and for carrying on such manufactures by them, and for the accommodating such masters as shall be appointed by the said commissioners to instruct and teach them, and to apply such parts of the produce of the said estates as shall be necessary for erecting such schools, providing competent salaries for such teachers, and for the cloathing and maintaining such young persons, and for supplying such schools with utensils and materials for agriculture and manufactures, and for the raising of flax, and for such other like uses as by his Majesty, his heirs or successors shall be thought proper for promoting the purposes aforesaid.

and empower
the commissi-
oners to allot
or purchase
lands to the
use thereof;

XXIX. And be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, to empower the said commissioners to allot portions of land out of the said estates to the use of such schools as may be erected on the said estates, or to apply such part of the clear rent of such estates as his Majesty, his heirs and successors shall think proper, in the purchase of portions of land to be allotted to the use of such schools as shall be erected in other parts of the highlands or islands of *Scotland*.

and to grant
lands to be
held feu of the
crown, for
building hou-
ses, and for
gardens, &c.

XXX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to his Majesty, his heirs and successors, to authorize and empower the said commissioners to grant out in property such parts and portions of ground, not exceeding ten acres to one person, as may be sufficient for building convenient dwelling-houses, out-houses and gardens, to persons well affected to his Majesty's person and government, and who shall be duly qualified by taking the oaths to the govern-
ment,

ment, who shall oblige themselves to erect buildings, and make gardens thereupon; which portions of ground shall be by the grantees held feu of his Majesty, his heirs or successors, for payment of a yearly feu duty, equal to such a proportion of the rent as the said commissioners shall find to correspond to the ground to be feued out by them: and in respect that such small feus cannot bear the charges of passing the seals, and other charges necessary for making out the titles of lands held of the crown; it shall and may be lawful to his Majesty, his heirs and successors to authorize and empower the said commissioners to grant charters, containing precepts of sasine, to be held feu of his Majesty as aforesaid, and also to grant all charters, precepts of *Clare constat*, and other writings necessary for entering their heirs and singular successors.

XXXI. Provided always, That any person who shall reside in any dwelling-house erected upon any portion of land, which shall have been granted for that purpose in manner as aforesaid, shall, during his residence in such house, be capable of holding a lease from the said commissioners of any other part of the said estates, within the distance of five miles from such house, subject to all the other conditions and limitations of this act; any thing herein before contained to the contrary notwithstanding.

Persons residing in such houses, may hold leases of other parts of the estates.

XXXII. And whereas it hath been found a great obstruction to the course of justice in the highlands, that many parts thereof are far remote from any royal burgh or county gaol; be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, by and out of the rents and profits of the lands and estates aforesaid, to cause prisons to be erected and maintained on such parts of the aforesaid lands, or other parts of the highlands or islands of *Scotland* as they shall think fit, for the custody of prisoners for crimes or offences; and that such prisons so erected shall be held to be lawful prisons for the purpose aforesaid; and the commissioners to be named as aforesaid, are hereby empowered to appoint gaolers for keeping of such prisons, and to assign them reasonable wages, to be paid by the factors on such estates, with proper allowances from time to time, for the maintenance of indigent prisoners; and the said commissioners are hereby further empowered to appoint baillies over the said estates, or any village or district thereof; which baillies shall have all the powers over such estates, that are now by law competent to baron baillies, and shall further have power to commit offenders to the next sure prison within the county, although not within the territory of such baillie himself.

Crown may erect prisons.

Commissioners may appoint gaolers, and baillies.

XXXIII. And be it further enacted by the authority aforesaid, That his Majesty's receiver general for *Scotland* shall reserve the annuities that shall come into his hands out of the rents of the said estates, for answering such orders as shall be made upon him by the said commissioners, in pursuance of the powers that shall be granted, and the warrants and directions that shall be given to them from time to time by his Majesty, his heirs

Rents to be reserved to answer the orders of the commissioners.

heirs and successors, concerning the application of the rents of the said estates, for the ends and purposes aforesaid, and for no other ends or purposes whatsoever.

Till the claims be determined the treasury may apply the rents for defraying the expence of managing the estates.

XXXIV. Provided always, and be it enacted by the authority aforesaid, That until the final determination of the claims that have been or shall be duly made or entered in the court of session in Scotland to or upon the aforesaid estates, it shall and may be lawful for the high treasurer, or commissioners of the treasury for the time being, to cause to be applied so much of the rents and profits of the estates aforesaid as they shall find necessary for defraying the expences of management thereof, and of litigating and discussing such claims; any thing herein contained to the contrary notwithstanding.

C A P. XLII.

An act to render valid and effectual all contracts and agreements which shall be made by the commissioners or governors of the royal hospital for seamen at Greenwich, for the purchase of lands, tenements and hereditaments, for the finishing and compleating the said hospital; and for ascertaining the recompence that shall be made for the same.

8 Geo. 2. c. 29.

WHEREAS by an act of parliament made and passed in the eighth year of the reign of his present Majesty, intituled, An act for the application of the rents and profits of the estates forfeited by the attainders of James late earl of Derwentwater, and Charles Radcliffe, the commissioners or governors of the royal hospital for seamen at Greenwich wererequired to contract and agree with able and sufficient tradesmen, artificers, or other persons, for finishing and compleating the said royal hospital in a workman-like manner, on the easiest and most reasonable terms, according to the plan laid before the house of commons in that session of parliament: and whereas one parcel of land on the west side of the said hospital, whereon a small house lately stood, in the occupation of Benjamin Hopkins, barber, and commonly known by the name of Carr's House, containing at the south end eleven feet six inches, at the north end ten feet seven inches, on the east side fifteen feet five inches, and on the west side fourteen feet eleven inches, be the same more or less; and one other parcel of land on the east side of the said hospital, whereon several houses formerly stood, belonging to the trustees of Morden College, and now in the possession of the said commissioners or governors of the said hospital, are necessary to be purchased, in order to finish the said royal hospital according to the said plan; which by reason of infancy, and other disabilities, the commissioners or governors of the said royal hospital have not been able to purchase: may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for the commissioners or governors of the said royal hospital, or any seven or more of them,

Governors impowered to contract for

them, to purchase, and alfo for all bodies politick, corporate or the purchafe
collegiate, corporations aggregate or fole, mortgagee and mort- of the lands
gagees, trustee and trustees, teoffee and feoffees, in truft for any before descri-
charity, or otherwife, guardian or guardians, committee or com-
mittees, of any infant, ideot or lunatick, and all executors and
administrators, and other perfons whatfoever, not only for and
on behalf of themfelves, their heirs and fucceffors, but alfo for
and on behalf of their ceftuique truft, and the refpective mort-
gagor and mortgagors, and other perfon and perfons intituled to
any equity of redemption, who are or fhall be feifed or poffeffed
of, or interefted in, all or any of the premiffes herein before
defcribed, or any part or parts thereof, to convey the fame re-
fpectively to the faid commiffioners or governors of the faid
royal hofpital, or any feven or more of them, or to fuch perfon
or perfons as the faid commiffioners or governors, or any feven or
more of them, fhall appoint, in truft for the commiffioners or go-
vernors of the faid royal hofpital: and that all contracts, agreements,
bargains, fales and conveyances, which fhall be made by fuch
perfons as aforefaid, fhall be good and valid in law, to all intents
and purpofes, not only to convey the eftate and intereft of the
perfon and perfons conveying, but alfo to convey all right, e-
ftate, intereft, ufe, equity of redemption, property, claim and de-
mand whatfoever, of their feveral and refpective ceftuique truft,
whether infants, or iffue unborn, lunaticks, ideots or fernes
covert, or other perfons whatfoever, and all claiming or to claim
by, from or under them, or any of them: and the faid pre-
miffes fo conveyed fhall be, and are hereby declared to be veft-
ed in the faid commiffioners or governors, or in fuch perfon or
perfons as by the faid commiffioners or governors, or any fe-
ven or more of them, fhall be fo appointed as aforefaid, from
the time of fuch conveyance made in fee-fimple, freed and di-
charged of all claims, demands and equity of redemption, of
any perfon or perfons, either at law or in equity; any law, fla-
tute, uſage or other matter or thing to the contrary thereof in
any wife notwithstanding: and that all fuch perfons as aforefaid,
fo conveying as aforefaid, are and fhall be indemnified for what
they do, or fhall do, by virtue of or in purſuance of this act:
and if it fhall happen that any perfon or perfons, bodies politick
or collegiate, or other perfon or perfons, feifed or poffeffed of or
interefted in the faid two parcels of land and premiffes before
particularly defcribed, or any part or parts thereof, upon notice
to them given, or left in writing at the dwelling houfe or houfes,
or place or places of abode of fuch perfon or perfons, or of the
head officer or officers of fuch bodies politick, corporate or col-
legiate, or at the houfe of the tenant in poffeffion of the faid
parcels of land refpectively; or, in caſe the ſame be unte-
nant, by affixing the ſame on ſome notorious part there-
of, fhall for the ſpace of twenty one days after fuch notice
given, left or affixed as aforefaid, refuſe or delay to treat and
agree for the ſale and conveyance thereof, or of their refpect-
ive eftates and intereſts therein, with the faid commiffioners or
governors,

Where parties
refuſe to treat,
&c.

a jury is to be
impanelled.

governors, or any seven or more of them, or with any person or persons authorized by them or any seven or more of them; or shall refuse to produce a title to such of the premises before described as they are in possession of, or to the interest they claim, to the satisfaction of the said commissioners or governors, or any seven or more of them; that then and in every such case it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, and they are hereby impowered and authorized to issue a warrant or warrants, precept or precepts, directed to the sheriff of the county of *Kent*, for the time being, who is hereby authorized, directed and required accordingly to impanel, summon and return a competent number of honest, substantial and disinterested persons, qualified to serve on juries, not less than twentyfour, nor more than forty eight; and out of such persons so to be impanelled, summoned and returned, a jury of twelve persons shall be drawn by the said commissioners or governors or any seven or more of them, or by some person to be by them, or any seven or more of them, for that purpose appointed, in such manner as juries for the trial of issues in his Majesty's courts at *Westminster*, by an act made in the third year of the reign of his present Majesty, intituled, *An act for the better regulation of juries*, are directed to be drawn; which persons so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said commissioners or governors, or any seven or more of them, at such time and place as in such warrant or warrants, precept or precepts, shall be directed and appointed; and to attend there from day to day till discharged by the said commissioners or governors, or any seven or more of them; and all parties concerned shall and may have their lawful challenges against any of the said jurymen, but shall not be at liberty to challenge the array, for affinity or any other cause whatsoever; and the said commissioners or governors, or any seven or more of them, are hereby authorized by precept or precepts, under their hands, from time to time, as occasion shall require, to call before them all and every person and persons whatsoever, who shall be thought proper or necessary to be examined as a witness or witnesses before them, on their oath or oaths, or on their solemn affirmation, if the persons or persons so to be examined be of the profession of the people called *Quakers*, touching and concerning the premises; and the said commissioners or governors, or any seven or more of them, if they think fit, shall and may likewise authorize the said jury to view the place or places, or matters in question, in such manner as they shall direct; and the said commissioners or governors, or any seven or more of them, shall have power to adjourn such meeting from day to day, as occasion shall require; and to command such jury, witnesses and parties, to attend until all such affairs for which they were summoned shall be concluded; and the said jury upon their oaths (which oaths, as also the oaths or solemn affirmation to such person or persons as shall be called upon to give evidence, the said commissioners

Jury may view
the place in
question;

governors or any ſeven or more of them, are hereby authorized and impowered to adminiſter) ſhall inquire of the value of ſuch premiſſes before particularly deſcribed, and ſhall aſſeſs the ſum or ſums to be paid for the purchaſe thereof reſpectively; and the ſaid commiſſioners or governors, or any ſeven or more of them, ſhall and may give judgement for ſuch ſum and ſums of money ſo to be aſſeſſed; which ſaid verdict or verdicts, and the ſaid judgment, decree or determination thereupon, (notice in writing being given to the perſon or perſons intereſted, at leaſt twenty days before the time of ſuch aſſeſſment, declaring the time and place of the meeting of the ſaid commiſſioners or governors, and jury, by leaving ſuch notice at the dwelling houſe of ſuch perſon or perſons, or at his, her or their uſual place or places of abode, or with ſome tenant or occupier of the ſaid parcels of land intended to be valued and aſſeſſed, or by fixing ſuch notice on ſome notorious place on the ſame premiſſes, in caſe the premiſſes are untenanted, and ſuch party cannot be found in the ſaid county of *Kent* to be ſerved with ſuch notice) ſhall be binding and concluding, to all intents and purpoſes whatſoever, againſt the King's majeſty, his heirs and ſucceſſors, and all and every other perſon and perſons, bodies politick and corporate, claiming any eſtate, right, title, uſe, truſt, equity of redemption or intereſt in, to or out of all or any of the premiſſes before particularly deſcribed, either in poſſeſſion, reversion, remainder or expectancy, or otherwiſe howſoever; and the ſaid verdicts, judgements and decrees ſo to be made, given and pronounced as aforeſaid, ſhall be fairly written on parchment, and ſigned and ſealed by any ſeven of the commiſſioners or governors preſent at the making and pronouncing the ſame; and ſuch verdicts, judgements and decrees of the ſaid commiſſioners or governors, and juries, ſhall be transmitted to and kept amongſt the records of the quarter-ſeſſions for the county of *Kent*; and ſhall be deemed and taken to be records to all intents and purpoſes whatſoever; and the ſame, or true copies thereof, ſhall be taken to be good and effectual evidence and proof in any court of law or equity whatſoever; and all perſons may have recourſe to the ſame *gratis*, and take copies thereof, paying for every copy, not exceeding two hundred words, ſix pence, and ſo in proportion for any greater or leſs number of words.

and aſſeſs the ſum to be paid for the purchaſe, &c.

The judgment of the commiſſioners and verdict of the jury to be binding,

and entered among the records of the ſeſſions, &c.

II. And it is hereby further enacted and declared, That upon payment of ſuch ſum or ſums of money ſo to be awarded or adjudged for the purchaſe of the ſaid premiſſes, or any part thereof, the perſon or perſons intitled thereto ſhall make and execute, or procure to be made and executed, good, valid and legal conveyances, aſſignments and aſſurances in the law, to the ſaid commiſſioners or governors, or any ſeven or more of them, ſhall appoint, in truſt for the ſaid commiſſioners or governors, of the ſaid premiſſes, for which ſuch ſum or ſums of money were ſo awarded; and ſhall procure all neceſſary parties to execute ſuch conveyances, aſſignments and aſſurances; and ſhall do all acts, matters and things, neceſſary or requiſite to make a clear

Conveyance to be made on payment of the ſum awarded.

If the title
shall not be
evinced, or
good convey-
ance made,

or the party
cannot be
found, &c.

the purchase
money to be
paid into the
bank;

and the right
to vest in the
trustees.

clear, good and perfect title to, or in trust for, the said commissioners or governors; and such conveyances, assignments and assurances, shall contain all such reasonable and usual covenants as shall, on the part of the said commissioners or governors, be required; and in case any such person or persons, to whom such money shall be awarded as aforesaid, shall not evince a title to the said premises to the said commissioners or governors, and make, or procure to be made, good and legal conveyances thereof, or shall refuse so to do, being thereunto required, such sum and sums of money so awarded as aforesaid, being ready to be paid to him, her or them, on making such title and executing and procuring to be executed such conveyances, assignments or assurances as aforesaid, and for that purpose tendered at the council chamber of the said royal hospital at *Greenwich*; or if in case any person or persons intitled to the premises, for which such sum or sums of money shall be so awarded as aforesaid, cannot be found in the said county of *Kent*; or in case that by reason of disputes depending in any court of law or equity, or for defect of evidence, it shall not appear to the said commissioners or governors, or any seven or more of them, what person or persons is or are intitled to the premises in question; that then, and in all and every or any such case and cases as aforesaid, it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, to order such sum or sums of money so awarded as aforesaid, as the value of, and purchase money for, the said premises, to be paid into the bank of *England*, for the use of the parties interested in the said premises, to be paid to them, and each and every of them, according to their respective estates and interests in the said premises, at such times as the said commissioners or governors, or any seven or more of them shall, by warrant or warrants under their hands, order and direct; and the cashier and cashiers of the bank of *England*, who shall receive such sum and sums, is and are hereby required to give a receipt or receipts for such sum and sums, mentioning and specifying for what premises, and for whose use the same is or are received, to such person or persons as shall pay such sum or sums into the bank of *England* as aforesaid; which receipt or receipts shall be entered on record, and registered amongst the records of the quarter sessions for the county of *Kent*; and immediately on such payment and registry, all the estate, right, title, use, trust, property, equity of redemption, claim and demand, in law and equity, of all and every person and persons for whose use such money was paid, of, in, to, from and out of the said premises, or any part thereof, shall vest in such person or persons as shall be named for that purpose by the said commissioners or governors, or any seven or more of them; and such person or persons shall be deemed in law to be in the actual possession thereof, and to be seized thereof in fee-simple, freed and discharged from all claims, demands and equity of redemption, either at law or in equity, to all intents and purposes, as fully and effectually as if all and every person and persons, having
any

any estate, right, title, trust, interest or equity of redemption, of, in, to, from or out of the said premises, had actually conveyed the same by lease and release, bargain and sale inrolled, feoffment with livery of seisin, fine and recovery, or any other conveyance whatsoever; and such payment shall not only bar all right, title, interest, equity of redemption, claim and demand of the person or persons to whose use such payment was made, but also shall extend to, and be deemed and construed to bar the dower and dowers of the wife or wives of such person or persons, and all estates tail, and remainders, as fully and effectually as a fine or recovery would do or would have done, if levied by proper parties in due form of law.

III. Provided always, and it is hereby declared and enacted, That it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, after such payment into the bank, and registry as aforesaid, on the petition of any person or persons in possession of the premises, at the time the money was so paid into the bank, to place out or invest, or cause to be placed out or invested, such sum or sums of money, or any part thereof, in some of the publick funds, or on government security, at interest, in the name of the said commissioners or governors, or any seven or more of them, or in the name or names of any person or persons appointed by the said commissioners or governors, or any seven or more of them, for that purpose, in trust to transfer and assign the same to such person or persons to whom the premises belong, on his, her or their executing proper conveyances thereof; and in the mean time in trust to pay the interest and dividends arising therefrom, to such person or persons as was or were in possession of the said premises at the time of the said payment into the bank; and the said commissioners or governors, or any seven or more of them, are hereby authorized and impowered to make such order as aforesaid on the bank, for the payment of such sum or sums of money, or any part thereof as shall be necessary, in order to their being so invested in publick securities: and the said commissioners or governors shall be quieted in the possession of the lands and premises, for which such money is so paid as aforesaid; and shall not be answerable or accountable for the same, in any court of law or equity, otherwise than according to the true intent and meaning of this act.

IV. Provided always, and it is hereby enacted and declared, That if any contract shall be made for the purchase of any premises in mortgage, or any sum or sums shall, in manner as before-mentioned, be assessed or awarded as the value of such mortgaged premises, and the person or persons intitled to the equity of redemption thereof cannot be found, that then, and in every such case, the money so contracted for, or assessed or awarded, shall, by the said commissioners or governors, or any seven or more of them, be vested in any of the publick funds; and the interest or dividends thereof shall be paid to such mortgagee, until the person intitled to such equity of redemption

shall make out his title thereto; and in case any such person or persons so intitled to such equity of redemption, shall not, within five years next after the investing such monies in the publick funds, exhibit his, her or their bill in the high court of chancery, or in his Majesty's court of exchequer at *Westminster*, in order to litigate the same, he, she or they shall for ever thereafter be debarred therefrom; and at any time after the end of such five years (no bill being exhibited as aforesaid) such money so invested in the publick funds shall be paid, on the securities for the same assigned to such mortgagee or mortgagees, or their legal representative or representatives; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Possessor to deliver up the premises, upon 21 days notice;

and on refusal, the sheriff is to deliver the same.

Monies paid to bodies corporate, or other trustees, to be laid out in the purchase of lands, &c.

V. And be it further enacted, That all and every person and persons who is, are or shall be in possession of the lands and premises, or any part thereof, so to be purchased by the said commissioners or governors, or any seven or more of them, or for which any purchase-money shall be so assessed or awarded as aforesaid, shall, upon twenty one days notice in writing, left at or affixed on the said premises, or any part thereof, peaceably and quietly deliver up the possession of the said premises to the said commissioners or governors, or any seven or more of them, or to any person or persons who shall, by the said commissioners or governors or any seven or more of them, be authorized to receive the same; and in case any person or persons shall refuse so to do, that it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, to issue their precept or precepts to the sheriff of the county of *Kent*, to deliver possession of the premises to such person or persons as shall in such precept or precepts be nominated to receive the same; and the said sheriff is hereby required to deliver possession thereof accordingly, and to levy such costs, which shall accrue from the issuing and execution of such precept or precepts, on the person or persons so refusing to give possession as aforesaid, by distress and sale of his, her or their goods.

VI. And it is hereby further enacted and declared, That all and every sum and sums of money, to be paid to any body corporate or collegiate, corporation aggregate or sole, feoffee or feoffees in trust, guardian, committee, or other trustee or trustees, in pursuance of this act, shall be by them respectively laid out in the purchase of lands, tenements and hereditaments, and settled to and upon, and subject to such titles, uses, trusts, limitations, remainders and contingencies, as the said lands and premises, so to be purchased by the said commissioners or governors as aforesaid, were settled, limited and assured at the time of such sale so made respectively, and shall and may be held and enjoyed accordingly; and that in the mean time, until such purchase made, such money shall be vested in some of the publick funds or government securities at interest, and the interest shall be paid to such person or persons as would have been intitled to the rents and profits of such lands, tenements and here-

redita-

ditaments so to be purchased, in case the same were purchased and settled, pursuant to the true intent and meaning of this act.

VII. And it is hereby enacted and declared, That in case of any default of a sufficient number of jurymen to be sworn, pursuant to this act, the sheriff for the county of *Kent* shall return other honest and indifferent men of the standers-by, or that can speedily be procured to attend that service, subject to such challenges as aforesaid; and the commissioners or governors, or any seven or more of them, shall from time to time have power to impose any reasonable fine on the said sheriff, his under-sheriff, bailiffs or agents respectively, or on any of the persons who shall be summoned and returned on such jury or juries as shall not appear or refuse to be sworn on such jury, or being sworn, shall refuse to give a verdict, or in any other manner wilfully neglect his duty, contrary to the true intent and meaning of this act; and likewise upon such person or persons summoned to give evidence, who shall refuse to appear or give evidence, and from time to time to levy such fine or fines, by warrant or warrants under the hands and seals of the said commissioners or governors, or any seven or more of them, by distress and sale of the offender's goods, rendering the overplus, if any; and all such fines shall be applied to the use of the said royal hospital.

In default of jurymen, the sheriff may return standers-by.

Sheriff, and other persons neglecting their duty, may be fined.

VIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners or governors of the said royal hospital, or any seven or more of them, to purchase any other messuages, lands, tenements or hereditaments, which shall be thought necessary for the finishing the said royal hospital, according to the said plan; and that it shall and may be lawful to and for all bodies politic, corporate or collegiate, corporations aggregate or sole, mortgagee or mortgagees, trustee and trustees, feoffee and feoffees in trust for any charity or otherwise, guardian or guardians, committee or committees of any infant, idiot or lunatick, and all executors and administrators, and other persons whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of their cestuique trusts, and the respective mortgager and mortgagers, and other person and persons intitled to any equity of redemption, who are or shall be seized or possessed of or interested in any such houses, lands or hereditaments, to convey the same respectively to the said commissioners or governors, or any seven or more of them, or to such person or persons as the said commissioners or governors, or any seven or more of them shall appoint, in trust for the said commissioners or governors; and that all contracts, agreements, bargains, sales and conveyances which shall be made by such person or persons as aforesaid, shall be good and valid in law, not only to convey the estate and interest of the person and persons conveying, but also to convey all right, estate, interest, use, equity of redemption, property, claim and demand whatsoever, of their several and respective cestuique trusts, whether infants, or issue unborn, lunaticks, idiots, or females covert, or other persons whatsoever, and all claiming, or to claim, by, from or under them, or any of them: and the

Governors may purchase any other lands, &c. which shall be thought necessary, &c.

If such other lands cannot be purchased before 25 March 1757, the finishing the hospital not to be delayed.

Possession of the commissioners not to be disturbed.

Claimants may sue the receivers of purchase money.

Publick act.

faid premisses so conveyed shall be, and are hereby declared to be, vested in the said commissioners or governors, or in such person or persons as by the said commissioners or governors, or any seven or more of them shall be so appointed as aforesaid, from the time of such conveyance made, in fee-simple, freed and discharged of all claims, demands and equity of redemption, of all and every person and persons, either at law or in equity; any law, statute, usage or other matter or thing to the contrary thereof in any wise notwithstanding: and that all such persons as aforesaid, so conveying as aforesaid, are and shall be indemnified for what they do or shall do by virtue of or in pursuance of this act: and in case the said commissioners or governors of the said hospital cannot, on or before the twenty fifth day of *March* one thousand seven hundred and fifty seven, purchase such other messuages, lands and premisses as may be thought necessary for the finishing the said royal hospital according to the said plan, upon such terms as they shall think reasonable; that then, and in such case, it shall and may be lawful to and for the commissioners or governors of the said royal hospital, and they are hereby authorized and impowered to finish the said royal hospital in such manner as most conveniently may be, without waiting for or expecting to purchase any such premisses.

IX. And be it further enacted by the authority aforesaid, That the said commissioners or governors, or such person or persons to whom they, or any seven or more of them, shall appoint any conveyances to be made, or in whom the said premisses shall be vested by virtue of this act, shall not be disturbed or hindered in the quiet possession and enjoyment thereof, on pretence of any want of form or other defect in the proceedings hereby directed; but that it shall and may be lawful to and for any person or persons, barred of any right, title, interest, equity of redemption, claim or demand whatsoever, in, to or out of the said premisses, or any part thereof, to bring any action or actions for money had and received to his, her or their use, against any person or persons who received the purchase-money for such premisses respectively; and, on proof of such title as would have enabled them to recover such lands, tenements or hereditaments, or any part thereof, or any estate or interest in the same, that then and in every such case, they shall recover the said purchase-money, or so much thereof as shall be equivalent to their interest in the said premisses, together with such interest as shall be equivalent to their interest therein, which they might have been intitled unto in case this act had not been made.

X. And it is hereby further enacted and declared, That this act shall be deemed and allowed to be a publick act, and be judicially taken notice of as such, by all judges, justices and other persons, without specially pleading the same.

C A P. XLIII.

An act for the more easy and speedy recovery of small debts in the town and port of Liverpoole, and liberties thereof, in the county palatine of Lancaster.

C A P. XLIV.

An act to explain and amend an act paſſed in the fifth year of his preſent Maſteſty's reign, intituled, An act to enlarge the pier and harbour of Scarborough in the county of York; and for making the ſaid act more effectual.

WHEREAS by an act made and paſſed in the fifth year of the reign of his preſent Maſteſty, intituled, An act to enlarge the pier and harbour of Scarborough in the county of York, it was enacted, That to the end that the ſaid pier might be enlarged, extended and improved, and kept in repair, that from and after the twenty fourth day of June one thouſand ſeven hundred and thirty two, until the twenty fourth day of June one thouſand ſeven hundred and ſixty three; and alſo from the ſaid twenty fourth day of June ſeventeen hundred and thirty two, to the twenty fourth day of June ſeventeen hundred and eighty three, the ſeveral duties therein mentioned ſhould be reſpectively answered and paid to the bailiffs and burgeſſes of Scarborough aforeſaid, and their ſucceſſors, as they in common council aſſembled, or the major part of them, ſhould from time to time, under their common ſeal, order and appoint; and by the ſaid act ſeveral powers and authorities were granted to and veſted in the ſaid bailiffs and burgeſſes, and their ſucceſſors, for the better collecting the ſaid duties, and carrying on the ſaid work, and executing the ſeveral truſts thereby in them repoſed: and whereas great frauds and abuſes have of late years been committed in the execution of the ſeveral truſts repoſed in the ſaid bailiffs and burgeſſes of Scarborough aforeſaid by the ſaid act, particularly by the miſapplication of the ſum of three thouſand pounds, which had been raiſed by the ſaid bailiffs and burgeſſes of Scarborough, in common council aſſembled, by mortgage of the new pier duties payable at Newcastle; which ſaid ſum of three thouſand pounds, and alſo the ſum of three hundred and ſeventy nine pounds eight ſhillings and four pence, have been by the ſaid bailiffs and ſome of the burgeſſes and members of the ſaid borough of Scarborough, applied in diſcharge of their own bonds and private debts and engagements, or retained in their hands, and no part thereof applied according to the directions of the ſaid act; whereby the works of the ſaid pier have been in a great meaſure neglected, and the laudable intentions of the legiſlature fruſtrated, and rendered ineffectual, to the manifeſt detriment of the publick: to the end therefore that the like frauds and abuſes may be prevented for the future, and that the ſeveral ſums of money ariſing from the ſeveral duties given and granted by the ſaid laſt recited act, for and towards the enlarging, extending, improving and repairing the ſaid pier, may be duly applied to the purpoſes deſigned by the ſaid act, and for the better maintaining and ſupporting the harbour of Scarborough aforeſaid; which cannot effectually be done, but by divesting the ſaid bailiffs and burgeſſes of all powers and authorities given them by the ſaid act, and by veſting the ſame in other truſtees; may it pleaſe your Maſteſty that it may be enacted, &c.

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The powers granted by the recited act to the bailiffs and burgefles to ceafe. New commissioners appointed; with power to audite the accounts of all monies received and difburfed by virtue of the recited act. Duties and forfeitures to be paid to the commissioners or their order. The commissioners at their firft meeting, to choofe a clerk, furveyor and receiver of the duties. Accounts to be ftated yearly, and to lie open for publick infpection. Accounts to be laid before the juftices, and paffed by them. 51. Penalty on perfons prejudicing the harbour by emptying ballaft, &c. or otherwife, and to be levied by diftreff and fale. For want of diftreff the offender to be committed. Stones may be taken from wafte grounds &c. for the works of the pier, paying 5s. by the year to the corporation. Bailiffs, &c. to deliver upon oath, all books and writings relating to the duties, on penalty of 20l. Bailiffs, &c. not repaying their proportions of the monies mifapplied, or retained in their hands, with intereft, may be fued by the commissioners, and the charges thereof to be paid out of the duties, &c. No part of the act of 5 Geo. I. hereby repealed, except what relates to the appointment of the bailiffs, &c. The powers thereby granted, to veft in the commissioners. Rights, &c. of the burgefles relerved.

CAP. XLV.

An act for the more eafy and fpeedy recovery of fmall debts within the city and county of the city of Canterbury, and the liberties and precincts of the fame.

CAP. XLVI.

An act for repairing and widening the road from Alefmouth through the town of Alnwick to Rothbury, and from thence to the town of Hexham; and alfo the road leading out of the aforefaid road between Alnwick and Rothbury, to Jockey's Dike Bridge in the county of Northumberland. *Certain tolls granted for 21 years.*

CAP. XLVII.

An act for repairing and widening the roads from the eaft end of Monk Bridge, near the fuburbs of the city of York, to New Malton, and from thence to Scarborough in the north riding of the county of York; and alfo from Spittle-houfe, in the eaft riding of the faid county, to Scarborough aforefaid. *Certain tolls granted for 21 years.*

CAP. XLVIII.

An act for repairing and widening the road leading from a part of the road (directed to be repaired by an act paffed in the laft feflion of parliament, from Carliffe to Newcastle upon Tyne) near Glenwelt, to another part of the road (fo making from Carliffe to Newcastle) upon Sheldon Common in the county of Northumberland. *Certain tolls granted for 21 years.*

CAP. XLIX.

An act for repairing the high road from the town of Shrewsbury, through Creffage, Harley, Much Wenlock, by Muckley Crofs, and through Morville to Bridgenorth in the county of Salop. *Certain tolls granted for 21 years.*

CAP. L.

An act for repairing the roads from the north end of Malling Street, near the town of Lewes, to Witch Crofs, and from the north end of Malling Street aforefaid, to the Broil park gate; and from Offham to Witch Crofs aforefaid, all lying within the county of Suffex. *Certain tolls granted for 21 years.*

CAP. LI.

An act for amending and making more effectual feveral acts for amending the roads from the city of London to Eaft Grinftcad in the county of Suffex; and to the towns of Sutton and Kingfton in the county of Surrey; and for more effectually repairing the road from Newington through Camberwell in the faid county to New Crofs in the county of Kent;

Kent; and for repairing and widening the road from Camberwell Green to the Fox under the Hill in the parish of Camberwell. *The act 6 Geo. 2. c. 26. &c. amended.*

CAP. LII.

An act for widening and repairing the road from Combe Bridge in the county of Somerset to Bradford in the county of Wilts; and from thence through Hilperton; and so far over Ashton Common as to join the road which leads from Steeple Ashton to Trowbridge; and also the road leading from Bradford aforesaid to Cockhill Gate in the said county of Wilts. *Certain tolls granted for 21 years.*

CAP. LIII.

An act for repairing the road from Knaresborough in the county of York; by Longflat Lane, Gouldsborough Fields, Flaxby, Allerton, Mauleverer, and Scate Moor, to Green Hammeaton in the same county; and for making the same a high carriage road. *Certain tolls granted for 21 years.*

CAP. LIV.

An act for amending the several roads leading from the town of Taunton in the county of Somerset. *Certain tolls granted for 21 years.*

CAP. LV.

An act for explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty, for the repairing and enlarging the roads from the town of Selby in the west riding of the county of York to the town of Leeds, and from thence in two several branches, one through Bradford and Horton, and the other through Bowling and Wibsey, to the town of Halifax in the same riding, as relates to that part of the said roads which lies between Leeds and Halifax. *The act 14 Geo. 2. c. 32. amended.*

CAP. LVI.

An act for repairing the several roads leading from the town of Bromyard in the county of Hereford, to the several places called the Halfway Ash in the parish of Docklow, Herefordshire Lake in the parish of Whitburne, Perry Bridge in the parish of Stoke Bliss, leading through the several parishes of Edwin, Ralph, Collington, and the hamlet of Little Kyre, Sapey wood in the parish of Upper Sapey, Bishop's Froome, Wooferwood Gate, and Herefordshire Lake, in the said parish of Bromyard, in the counties of Hereford and Worcester. *Certain tolls granted for 21 years.*

CAP. LVII.

An act for repairing and widening the road leading from Market Harborough in the county of Leicester through Desborough, Rowell, Kettering, Barton Seagrave and Thrapston in the county of Northampton; and through Bythorne, Spaldwick and Ellington, to the Pound in the parish of Brampton in the county of Huntingdon. *Certain tolls granted for 21 years.*

CAP. LVIII.

An act for repairing the roads from the town of Leeds, through Harwood; to the south west corner of the inclosures of Harrowgate; and from thence in two branches (one through Riply over Burage Green, and the other through Knaresborough and Boroughbridge) to Ripon; and from thence to the first rill of water, or watercourse, on Hutton Moor in the county of York; and for repairing the sloughs or rutts on the said Moor. *Certain tolls granted for 21 years.*

CAP. LIX.

An act for repairing and widening the roads leading from Chippenham Bridge in the county of Wilts to the top of Togg Hill in the county of Gloucester; and from Chippenham Bridge aforesaid to the top of
Old

Old Sodbury Hill in the said county of Gloucester. *Certain tolls granted for 21 years.*

CAP. LX.

An act for repairing and amending the several roads leading from the west end of Upton Bridge in the county of Worcester to the parish of Tirley in the county of Gloucester, and to the parish of Colwall in the county of Hereford; and to the further side of a place called The Rid Green, in the road to the city of Worcester, and through a place called Roberts End Street to Malvern Chace in the said county of Worcester. *Certain tolls granted for 21 years.*



The END of the Twentieth Volume.

